

U. S. DEPARTMENT OF LABOR  
JAMES J. DAVIS, Secretary  
**BUREAU OF LABOR STATISTICS**  
ETHELBERT STEWART, Commissioner

BULLETIN OF THE UNITED STATES }  
BUREAU OF LABOR STATISTICS } . . . . . **No. 343**

LABOR LAWS OF THE UNITED STATES SERIES

**LAWS PROVIDING FOR BUREAUS  
OF LABOR STATISTICS, ETC.**



AUGUST, 1923

WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1923



## CONTENTS.

	Page.
Introduction.....	1
Text of laws providing for bureaus of labor statistics :	
Alabama.....	3, 4
Alaska.....	5
Arizona.....	5
Arkansas.....	6-8
California.....	9-12
Colorado.....	13-25
Connecticut.....	26-28
Delaware.....	29, 30
District of Columbia.....	30
Florida.....	30
Georgia.....	31, 32
Hawaii.....	32
Idaho.....	33, 34
Illinois.....	35-38
Indiana.....	39-41
Iowa.....	42-44
Kansas.....	45-47
Kentucky.....	48-50
Louisiana.....	51, 52
Maine.....	53, 54
Maryland.....	55, 56
Massachusetts.....	57-59
Michigan.....	60-63
Minnesota.....	64-69
Mississippi.....	69
Missouri.....	70, 71
Montana.....	72, 73
Nebraska.....	74, 75
Nevada.....	76-78
New Hampshire.....	79, 80
New Jersey.....	81-85
New Mexico.....	86
New York.....	86-92
North Carolina.....	93, 94
North Dakota.....	95, 96
Ohio.....	97-107
Oklahoma.....	108, 109
Oregon.....	110-112
Pennsylvania.....	113-119
Porto Rico.....	120-122
Rhode Island.....	123-125
South Carolina.....	126-129
South Dakota.....	130, 131

Text of laws providing for bureaus of labor statistics—Continued.	Page.
Tennessee.....	132, 133
Texas.....	134-136
Utah.....	137-143
Vermont.....	144
Virginia.....	145, 146
Washington.....	147-150
West Virginia.....	151, 152
Wisconsin.....	153-159
Wyoming.....	160, 161
United States.....	162-170

**BULLETIN OF THE**  
**U. S. BUREAU OF LABOR STATISTICS.**

---

NO. 343

WASHINGTON

AUGUST, 1923

---

**LAWS PROVIDING FOR BUREAUS OF LABOR STATISTICS, ETC.**

**INTRODUCTION.**

The purpose of this bulletin is to present in convenient form the existing laws providing for the organization and prescribing the duties of the bureaus, departments, or commissions that are charged with the general administration of labor laws and the compilation of statistical and other matter of interest to labor. The term first applied to these offices was "bureau of labor," or "bureau of labor statistics." Labor activities have been united with agriculture and immigration in a number of States, while a more recent development is the creation of commissions charged with a wide range of subjects, among them the administration of the workmen's compensation laws.

Because of the special interest attaching to the subject of workmen's compensation and the great bulk of the legislation relating to it, that subject has been given separate consideration in previous bulletins of the Bureau of Labor Statistics. The present bulletin therefore excludes, so far as separable, reference to the functions of the various offices in respect to workmen's compensation for injuries. Certain references are of course unavoidable, as are also references to factory regulations and inspection, employment service, arbitration and mediation, and other activities which might well be the subject of separate bulletins, but must be mentioned in any presentation of the organization and activities of the office administering them.

An attempt has been made to indicate the personnel and working force of the different bureaus, etc., omitting that devoted solely to workmen's compensation. The results are presented, not as complete nor as satisfactory, but as representing the fruits of special inquiry addressed to each office, and such use of appropriation acts and other sources of information as seemed justifiable under the circumstances. It is still too often the case that current legislation providing for appropriations does not measure up to the standards set by the laws enacted at some previous date; so that while an organization may be formally provided for, it is in effect so restricted by lack of funds and working force as to be ineffective for the accomplishment of the ends contemplated in the enactment of the law.



# TEXT OF LAWS PROVIDING FOR BUREAUS OF LABOR STATISTICS, ETC.

## ALABAMA.

### ACTS OF 1919.

#### Act No. 457.—*Child-welfare department.*

SECTION 1. There is hereby established for the State of Alabama a child-welfare department, to be located in the State capitol, with the several powers, functions, and duties hereinafter prescribed. Department es-  
tablished.

SEC. 2. The said department shall have the power and it shall be its duty (1) to devise the plans and means for and have general oversight over the welfare work for minor children in the State. Duties.

\* \* \* (7) To enforce all laws regulating the employment of minor children, with full power of visitation and inspection of all factories, industries, and other establishments in which children may be employed, permitted, or suffered to work, the duties, power, and authority, with reference to the child labor law, heretofore or hereafter imposed upon the State prison inspector, being hereby transferred to and imposed upon the child-welfare department herein created. \* \* \* (10) To cooperate with the State department of education, the State board of health, all State, county, and municipal, benevolent and religious, educational, and correctional institutions, and to solicit the aid and to coordinate the activities of all private and volunteer social, labor, and welfare organizations on all subjects affecting the health, education, morals, and general welfare of minor children. \* \* \*

SEC. 3. (1) The child-welfare department shall be under the control of a commission consisting of the governor, the State superintendent of education, the State health officer, ex officio, and six persons to be appointed by the governor whose terms of office beginning from the date of their appointment shall be, respectively, two for two years, two for four years, and two for six years, the said terms of office to be designated to each appointee by the governor in making the appointment. All succeeding appointees shall be appointed by the governor and shall hold office for a term of six years and until their successors are appointed and qualified. (2) The said commission shall within sixty days after the approval of this act, and at the call of the governor, meet at the State capitol and proceed to organize the said department. It shall hold at the State capitol at least one regular meeting during each year, and as many special meetings as may be necessary. At such meetings five members shall constitute a quorum. The governor shall be the presiding officer, but in case of his absence, the commission shall have authority to elect a temporary presiding officer. If there be no director as hereinafter provided for, the commission may elect a secretary pro tempore. (3) The director hereinafter provided for shall be the secretary of the commission. (4) The members of the commission shall receive no compensation for their services other than the amount of their traveling and other expenses, actually paid out while in attendance on the meetings of the commission, or on the business of the department. (5) The commission is empowered to adopt rules for its own government, and for the government of the department; to elect a director and to provide Organization.

for the selection or appointment of other officials or employees as may be necessary and to fix their compensation; to have general control of the performance of every duty and the execution of the several powers herein conferred upon the department; to control and direct the expenditure of all appropriations which may be made for the maintenance of the department; and to do and perform such other acts and things as may be necessary to carry out the true intent and purposes of this act.

Director.

SEC. 4. (1) The department shall be under the immediate management and control of a director to be elected by the commission, whose term of office shall be six years and until his successor is elected and qualified. The commission shall have authority to discharge at any time the director at its pleasure. (2) The director shall take oath of office, as other public officials, shall be commissioned in like manner, shall devote his entire time to the work of the department, and shall receive for his services the sum of three thousand dollars per annum, payable monthly as other State officials are paid. (3) The director shall have full control and direction of the work and operations of the department, and he shall use his best endeavors to develop and carry forward the various activities herein provided.

Court reports.

SEC. 5. It is hereby made the duty of the probate and juvenile court judges to make, on or before the tenth day of each month, a report to the child-welfare department on the work of juvenile courts administered by them, and all apprenticeships and adoptions in their several counties.

Office.

SEC. 8. The child-welfare department shall occupy rooms or apartments in the State capitol to be set aside for its use by the governor; its furnishings and equipment shall be supplied from the capitol. Repair and improvement fund as other State offices, its stationery, office supplies and materials and postage shall be supplied from the stationery and office supplies and postage funds, and the printing and binding of its reports, bulletins, circulars, blank forms, and other printing as may be required shall be paid from the State printing fund.

Appropriation.

SEC. 9 (as amended by No. 4, Acts of 1920). For the maintenance of the department, including the payment of salaries and all expenses not provided for under the special provisions herein provided, the sum of thirty thousand dollars (\$30,000) is hereby appropriated, and a continuing annual appropriation of said sum is hereby made.

Approved September 25, 1919.

[The organization consists of a director and two child labor inspectors, besides the office force.]

## ALASKA.

### ACTS OF 1919.

#### CHAPTER 59.—*Labor commissioner—Creation of office—Factory inspection.*

SECTION 1. The office of labor commissioner of the Territory of Alaska is hereby created. Office created.

SEC. 2. The mining inspector of the Territory of Alaska shall be ex officio labor commissioner, but shall receive no additional compensation for acting as such labor commissioner. The mining inspector is hereby empowered and authorized to perform the duties of such labor commissioner as provided in this act. Who to act.

SEC. 3. The duties of the labor commissioner of the Territory of Alaska shall be: Duties.

(a) To assort, systematize, and present in biennial report to the Governor of Alaska statistical details relating to all departments of labor in the Territory, especially in its relation to the industrial, social, and sanitary conditions of the laboring classes, and to the permanent prosperity of the industries of the Territory.

(b) He shall have the power to enforce all sanitary and safety regulations, as are hereinafter set forth.

(c) He may inspect any factory, cannery, or other establishment where labor is employed, and is hereby empowered and authorized so to do.

SEC. 8. It shall be the duty of every employer of labor, his superintendent, manager, or agent, in this Territory to afford to the labor commissioner every facility for the inspection of his factory, cannery, or other establishment where labor is employed, and for procuring statistics of the wages and conditions of his employees. Inspection.

SEC. 9. Any person, firm, or corporation, or any agent, manager, or superintendent of any person, firm, or corporation, who shall, for himself or such person, firm, or corporation violate any of the provisions of this act, or omits or fails to comply with any of the requirements of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished, for the first offense, by a fine of not less than twenty-five (\$25) dollars nor more than fifty (\$50) dollars, or by 10 days' imprisonment in the Federal jail, or by both such fine and imprisonment; and upon conviction of a second or subsequent offense he shall be fined not less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars, or by imprisonment for one (1) month in the Federal jail, or by both such fine and imprisonment. Violations.

Approved May 5, 1919.

## ARIZONA.

[This State has no bureau of labor or office of like nature. A mine inspector with three deputies is provided for by chapter 33, acts of 1912, charged with the enforcement of laws making safety provisions for employees in mines. No other labor officials are authorized by any law of the State.]

## ARKANSAS.

### DIGEST OF STATUTES, 1921.

#### CHAPTER 105.—*Labor and statistics.*

**Bureau created.** SECTION 6535. A bureau of labor and statistics is hereby created for a period of fifty years, which shall be under the charge and control of a commissioner of labor and statistics.

**Commissioner.** SEC. 6536. A commissioner of labor and statistics shall be appointed by the governor immediately upon the taking effect of this act, who shall hold office until the first day of February, 1915, and until his successor shall have been appointed and qualified, after which the term of office of each commissioner shall begin on the first day of February of every odd numbered year, and shall continue for two years, and until his successor is appointed and qualified, and all appointments shall be made by the governor of this State. The commissioner may be removed for cause by the governor, record thereof being made in his office, and any vacancy shall be filled in the same manner as the original appointment. The commissioner of labor and statistics shall give **Bond.** bond in the sum of two thousand dollars, with sureties to be approved by the governor, conditioned for the faithful discharge of the duties of his office, and he shall also take the oath of office prescribed by the constitution. He shall have an office in the capitol building, and, except as hereinafter provided, he shall safely keep and shall deliver to his successor all records, papers, documents, correspondence, and property pertaining to or coming into his hands by virtue of his office.

**Duties.** SEC. 6537. The commissioner of labor and statistics shall collect, assort, systematize, and present in biennial reports to the governor statistical details relating to all departments of labor in Arkansas, and especially as affecting or bearing upon the commercial, social, educational, and sanitary conditions of the employees and their families, the means of escape from dangers incident to their employment, the protection of life and health in factories and other places of employment, the labor of children and of women and the number of hours of labor exacted of them, and in general all matters and things which affect or tend to affect the prosperity of the mechanical, manufacturing, and productive industries of this State, and of the persons employed therein. Said commissioner shall also, as fully as may be done, collect reliable reports and information from each county, showing the amount and condition of the mechanical and manufacturing interests therein, and all sites offering natural or acquired advantages for the location and operation of any of the different branches of industry, and he shall by correspondence with interested parties in other parts of the United States, or in foreign countries, impart to them such information as may tend to induce the location of manufacturing and producing plants within the State, together with such information as may tend to increase the employment of labor and the products of such employment in Arkansas.

**Biennial reports.** SEC. 6538. In each biennial report the commissioner shall give a full statement of the business of the bureau, since the last preceding report, and such information as may be of value to the industrial interests and to persons employed therein, showing among other things the number of laborers and mechanics employed and the number of apprentices in each trade, with the nativity of such laborers, mechanics and apprentices, the wages earned, the savings from the same, the age and sex of the persons employed, the number and character of accidents, the sanitary conditions of places where persons are employed, the

restrictions put upon apprentices when indentured, the proportion of married employees living in rented houses, with the average rental paid, the value of property owned by such employees, and a statement as to the progress made in schools in operation for the instruction of students in mechanic arts, and what systems have been found most practical, but such reports shall not contain more than six hundred printed pages, and the same shall be printed and distributed in such manner as is or may be provided by law.

SEC. 6539. The commissioner of the bureau of labor and statistics shall have the power to issue subpoenas, administer oaths, and take testimony in all matters related to the duties herein required of the said bureau, but such testimony must be taken in the vicinity of the residence or office of the person testifying. Any person duly subpoenaed under the provisions of this act who shall willfully neglect or fail to attend or testify at the time and place mentioned in the subpoena shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine of not to exceed fifty dollars or by imprisonment in the county jail for not to exceed thirty days: *Provided, however,* That no witness shall be compelled to go outside of the county in which he resides in order to testify.

Powers.

SEC. 6540. It shall be the duty of every owner, manager, and superintendent of every factory, mill, workshop, business house, public or private work, or any other establishment or place where five or more persons are employed at work, to make to the bureau of labor and statistics, upon blanks to be furnished by such bureau, such reports and returns as said bureau may require for the purpose of securing such labor statistics as are contemplated by this act, and such reports and returns shall be made within not to exceed sixty days from the receipt of the blanks furnished by the commissioner or by the bureau, and the same shall be verified under oath. Any owner, manager, superintendent, or any other person in charge or control of any factory, mill, workshop, store, business house, public or private work, or other establishment or place where five or more persons are employed at work, who shall neglect or refuse to make such reports and returns as are required by the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not to exceed one hundred dollars or by imprisonment in the county jail not to exceed thirty days.

Reports by employers.

SEC. 6541. In the reports made by the commissioner of labor and statistics to the governor, the names of individuals, firms, or corporations supplying information under the provisions of this act shall not be disclosed, nor shall the name of any such individual, firm, or corporation be communicated to any person or persons, except such as are employed in the bureau of labor and statistics, and any officer or employee of such bureau violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not to exceed five hundred dollars or by imprisonment in the county jail for not more than ninety days.

Information confidential.

SEC. 6542. No report or return made to the said bureau under the provisions of this act, and no schedule, record, or document gathered or returned by its officers or employees, shall be destroyed within two years of the collection or receipt thereof, but at the expiration of two years all such reports, returns, schedules, records, and documents as shall be considered by the commissioner to be of no further value shall be destroyed: *Provided,* That the permission of the governor shall first be obtained for such destruction.

Reports to be preserved.

SEC. 6543. Upon the written complaint of two or more persons, or upon its failure otherwise to obtain information in accordance with the provisions of this act, the commissioner of labor and statistics shall have the power to enter any factory, mill, workshop, store, business house, public or private work, or other

Entering premises.

- establishment, or place where five or more persons are employed at work, when the same is open or in operation, for the purpose of gathering facts and statistics, such as are contemplated by this act, and for the purpose of examining into the methods of protecting employees from danger and the sanitary conditions in and around such building or place, of all of which the said commissioner shall make and return in to the bureau of labor and statistics a true and detailed record in writing.
- Safety laws.** Sec. 6544. Said commissioner shall make investigation concerning the operation of the various laws relating to the safety of the life and limb of employees, and he shall take legal steps looking to the proper enforcement and due observance of such laws.
- Strikes and lockouts.** Sec. 6545. Said commissioner may inquire into the cause of strikes and lockouts and other disagreements between employers and employees; and, whenever practicable, offer his good offices to the contending parties with a view of bringing about friendly and satisfactory adjustment thereof.
- Enforcement.** Sec. 6546. If the commissioner of labor and statistics shall learn of any violation of the law with respect to the employment of children, or fire escapes, or the safety of employees, or the preservation of health, or in any other way affecting the employees, he shall at once give written notice of the facts to county or district attorney of the county in which the law has been violated, or of some other county, if any there be, having jurisdiction of the offense, and the county or district attorney to whom such notice has been given shall immediately institute the proper proceedings against the guilty persons.
- Hindering bureau.** Sec. 6547. Any owner, manager, superintendent, or other person in charge or control of any factory, mill, workshop, store, business house, public or private work, or other establishment or place, where five or more persons are employed at work, who shall refuse to allow any officer or employee of the said bureau of labor and statistics to enter the same, or to remain therein for such time as is reasonably necessary, or who shall hinder any such officer or employee, or in any way prevent or deter him from collecting information, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not to exceed one hundred dollars or imprisonment [sic] in the county jail for not to exceed sixty days.
- Expenses.** Sec. 6548. The commissioner shall be allowed all necessary postage, stationery and other expenses of a similar character necessary to the transaction of the business of the bureau, and the salaries and expenses shall be paid as in the case of other State officers. The commissioner and his deputy shall be allowed for his actual and necessary traveling expenses, while in the performance of his duties under this act, but the total of the expenses of said bureau, outside of the salaries paid, shall not exceed one thousand five hundred dollars per annum.
- Salary.** Sec. 8696. The labor commissioner shall receive a salary of two thousand dollars per annum payable monthly.  
Sec. 8697. He shall appoint a deputy at a salary of one hundred dollars per month.
- Same.** [The personnel comprises the commissioner, a deputy commissioner, a chief boiler inspector, and an examiner in the Federal-State employment service.]

## CALIFORNIA.

### GENERAL LAWS—1906.

#### ACT No. 1828.—*Bureau of labor statistics.*

SECTION 1 (as amended by chapter 21, Acts of 1911). As soon as possible after the passage of this act, the governor of this State shall appoint a suitable person to act as commissioner of a bureau of labor statistics. The headquarters of said bureau shall be located in the city and county of San Francisco. Said commissioner shall hold office and serve solely at the pleasure of the governor, and not otherwise. Commissioner.

SEC. 2. The commissioner of the bureau, before entering upon the duties of his office, must execute an official bond in the sum of five thousand (5,000) dollars, and take the oath of office, all as prescribed by the Political Code for State officers in general. Bond.

SEC. 3. The duties of the commissioner shall be to collect, assort, systematize, and present, in biennial reports to the legislature, statistical details, relating to all departments of labor, in the State, such as the hours and wages of labor, cost of living, amount of labor required, estimated number of persons depending on daily labor for their support, the probable chances of all being employed, the operation of labor-saving machinery in its relation to hand labor, etc. Said statistics may be classified as follows: Duties.

First. In agriculture.

Second. In mechanical and manufacturing industries.

Third. In mining.

Fourth. In transportation on land and water.

Fifth. In clerical and all other skilled and unskilled labor not above enumerated.

Sixth. The amount of cash capital invested in lands, buildings, machinery, material, and means of production and distribution generally.

Seventh. The number, age, sex, and condition of persons employed; the nature of their employment; the extent to which the apprenticeship system prevails in the various skilled industries; the number of hours of labor per day; the average length of time employed per annum, and the net wages received in each of the industries and employments enumerated.

Eighth. The number and condition of the unemployed, their age, sex, and nationality, together with the cause of their idleness.

Ninth. The sanitary condition of lands, workshops, dwellings; the number and size of rooms occupied by the poor, etc.; the cost of rent, fuel, food, clothing, and water in each locality of the State; also the extent to which labor-saving processes are employed to the displacement of hand labor.

Tenth. The number and condition of the Chinese in the State; their social and sanitary habits; number of married and of single; the number employed and the nature of their employment; the average wages per day at each employment and the gross amount yearly; the amounts expended by them in rent, food, and clothing, and in what proportion such amounts are expended for foreign and home productions, respectively; to what extent their employment comes in competition with the white industrial classes of the State.

Eleventh. The number, condition, and nature of the employment of the inmates of the State prisons, county jails, and reformatory institutions, and to what extent their employment comes in competition with the labor of mechanics, artisans, and laborers outside of these institutions. Classes of statistics.

- Twelfth. All such other information in relation to labor as the commissioner may deem essential to further the object sought to be obtained by this statute, together with such strictures on the condition of labor and the probable future of the same as he may deem good and salutary to insert in his biennial reports.
- Duties of State officers.** Sec. 4. It shall be the duty of all officers of State departments, and the assessors of the various counties of the State, to furnish, upon the written request of the commissioner, all the information in their power necessary to assist in carrying out the objects of this act; and all printing required by the bureau in the discharge of its duty shall be performed by the State printing department, and at least three thousand (3,000) copies of the printed report shall be furnished the commissioner for free distribution to the public.
- Hindering commissioner.** Sec. 5. Any person who willfully impedes or prevents the commissioner, or his deputy, in the full and free performance of his or their duty, shall be guilty of a misdemeanor, and upon conviction of the same shall be fined not less than ten (10) nor more than fifty (50) dollars, or imprisoned not less than seven (7) nor more than thirty (30) days in the county jail, or both.
- Information to be furnished by bureau.** Sec. 6. The office of the bureau shall be open for business from nine (9) o'clock a. m. until five (5) o'clock p. m. every day except nonjudicial days, and the officers thereof shall give to all persons requesting it all needed information which they may possess.
- Collecting wages.** Sec. 7 (as amended by chapter 228, Acts of 1919). The commissioner and his representatives duly authorized by him in writing shall have the power and authority, when in his judgment he deems it necessary, to take assignments of wage claims and prosecute actions for the collection of wages and other demands of persons who are financially unable to employ counsel in cases in which, in the judgment of the commissioner, the claims for wages are valid and enforceable in the courts, to issue subpoenas, to compel the attendance of witnesses or parties and the production of books, papers or records, and to administer oaths and to examine witnesses under oath, and to take the verification or proof of instruments of writing, and to take depositions and affidavits for the purpose of carrying out the provisions of this act and all other acts now or hereafter placed in the bureau for enforcement. The commissioner shall have a seal inscribed "Bureau of Labor Statistics—State of California" and all courts shall take judicial notice of such seal. Obedience to subpoenas issued by the commissioner or his duly authorized representatives shall be enforced by the courts in any county or city and county.
- Witnesses.** The commissioner and his representatives shall have free access to all places and works of labor, and any principal, owner, operator, manager, or lessee of any mine, factory, workshop, manufacturing or mercantile establishment, or any agent or employee of such principal, owner, operator, manager, or lessee who shall refuse to said commissioner, or his duly authorized representative, admission therein, or who shall, when requested by him willfully neglect or refuse to furnish to him any statistics or information, pertaining to his lawful duties, which may be in his possession or under the control of said principal, owner, operator, lessee, manager or agent thereof, shall be punished by a fine of not more than two hundred dollars.
- Seal.** Sec. 8 (added by chapter 10, Acts of 1889). No use shall be made in the reports of the bureau of the names of individuals, firms, or corporations supplying the information called for by this act, such information being deemed confidential, and not for the purpose of disclosing any person's affairs; and any agent or employee of said bureau violating this provision shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars or by imprisonment in the county jail not to exceed six months.
- Access to factories, etc.** Sec. 9 (as amended by chapter 211, Acts of 1917). The commissioner shall appoint two deputies who shall have the same power
- Information confidential.**
- Appointees, etc.**

as said commissioner; an assistant deputy who shall reside in the county of Los Angeles; a statistician and chief examiner; a stenographer; and such agents or assistants as he may from time to time require, at such rate of wages as he may prescribe, and actual traveling expenses for each person while employed. He shall procure rooms necessary for offices in San Francisco, Los Angeles, Sacramento, San Diego, and in such other places as he may deem necessary, at a rent not to exceed the sum of \$400 per month.

SEC. 10 (as amended by chapter 211, Acts of 1917). The salary of the commissioner shall be four thousand dollars per annum, the salary of each deputy commissioner shall be twenty-four hundred dollars per annum, the salary of the assistant deputy shall be twenty-one hundred dollars per annum, the salary of the statistician shall be twenty-one hundred dollars per annum, the salary of the stenographer shall be twelve hundred dollars per annum, to be audited by the controller and paid by the State treasurer in the same manner as other State officers. There shall also be allowed a sum not to exceed forty thousand dollars per annum for salaries of agents or assistants, for traveling expenses, and for other contingent expenses of the bureau.

Salaries.

ACTS OF 1915.

CHAPTER 484.—*Commissioner of labor—Enforcement of laws.*

SECTION 1. The commission of the bureau of labor statistics shall have authority and power to enforce any and all labor laws of the State of California, the enforcement of which is not specifically vested in any other officer, board or commission, and the deputies and agents of the said labor commissioner shall have the power and authority of sheriffs and other peace officers to make arrests, and to serve any process or notice throughout the State in the enforcement of such labor laws, pursuant to the instructions of said commissioner.

Power as to enforcement.

Approved May 24, 1915.

ACTS OF 1921.

CHAPTER 604.—*Department of labor and industrial relations.*

[This act adds Article IIe, embracing sections 364 to 364d, to the Political Code, as follows:]

SECTION 364. A department of the government of the State of California to be known as the department of labor and industrial relations is hereby created. The department shall consist of the following governmental agencies of the State of California, to wit: The industrial accident commission, the commission of immigration and housing, the industrial welfare commission, and the bureau of labor statistics. Said department shall be divided into four divisions as follows:

Agencies created.

(1) The division of workmen's compensation insurance and safety, which shall be administered by the industrial accident commission and shall succeed to and is hereby invested with all the duties, powers, purposes, responsibilities, and jurisdiction now or hereafter conferred by law upon the industrial accident commission.

Divisions.

(2) The division of immigration and housing, which division shall be administered by the commission of immigration and housing and shall succeed to and is hereby invested with all the duties, powers, purposes, responsibilities, and jurisdiction now or hereafter conferred by law upon the commission of immigration and housing.

(3) The division of industrial welfare, which division shall be administered by the industrial welfare commission and shall succeed to and is hereby invested with all the duties, powers, purposes, responsibilities, and jurisdiction now or hereafter conferred by law upon the industrial welfare commission.

(4) The division of labor, which division shall be administered by the commissioner of labor statistics and shall succeed to and is hereby invested with all the duties, powers, purposes, responsibilities, and jurisdiction now or hereafter conferred by law upon the commissioner of labor statistics and the bureau of labor statistics.

Representatives.

SEC. 364a. On or before the first day of October, 1921, and on or before the first day of January of each and every year thereafter, and at such other times in case of a vacancy, each of divisions one, two, and three shall designate one of its members as its representative on the department of labor and industrial relations; and the chief of the division of labor shall be the representative of the division of labor. Such representatives shall meet at a place to be designated by them at least once each month or oftener at the call of any two members. At their first meeting which shall be held during the month of October, 1921, they shall organize by electing one member as chairman and one as secretary. It shall be the duty of the secretary to keep a minute record of the proceedings of each meeting.

Jurisdiction.

At each meeting of the department there shall be presented for determination all problems involving conflict of authority or activity of two or more divisions and the department shall hear, consider, and act upon any complaint or complaints of duplication of activities.

Adjustments.

SEC. 364b. The said department of labor and industrial relations shall make and promulgate rules and regulations that will eliminate overlapping and duplication of the activities of the several divisions and may provide for the transfer of functions and activities from one division to another in the interest of the betterment of the service of such division or divisions.

Funds.

SEC. 364c. [This section merely allocates funds now or hereafter available for the various divisions, according to the organization above provided for. It also authorizes the department of industrial relations, with the approval of the board of control, to transfer funds when any transfer of duties is effected.]

Report.

SEC. 364d. The department of labor and industrial relations shall submit a report to the governor and to the forty-fifth session of the legislature embodying a complete plan of reorganization and departmentalization of the activities herein mentioned.

Approved May 31, 1921.

[The department of labor and industrial relations consists of four members, representing separate divisions. In the bureau of labor statistics are the commissioner and a director of public employment bureaus. The appropriation act of 1921 provided for two deputy commissioners, an assistant deputy, a statistician, attorney, stenographer, and \$90,000 for expenses other than for the employment service.]

## COLORADO.

### COMPILED LAWS—1921.

#### *Bureau of labor statistics.*

SECTION 4195. There is hereby established a separate and distinct bureau to be known as the bureau of labor statistics of the State of Colorado, which bureau shall be charged with the collection of statistics pertaining to the internal resources of the State, labor and agriculture. The secretary of state shall be designated the ex officio commissioner of said bureau. He shall appoint a deputy \* \* \*, who shall hold his office for the term of two years. He shall be an elector of this State, well versed in the collection of statistics and matters relating thereto. The deputy labor commissioner shall, within twenty days after receiving his commission, and before entering upon the duties of his office, give bonds to the State of Colorado in the sum of five thousand (5,000) dollars to be approved by the attorney general. Said deputy labor commissioner shall receive an annual salary of twenty-five hundred (2,500) dollars, payable as other State officers. The said deputy labor commissioner shall, upon entering upon his duties, recommend and the secretary of state appoint one statistician who shall hold his office for the term of two years and who shall be an elector of the State; he shall receive an annual salary of fifteen hundred (1,500) dollars, payable as other State officers. Said deputy labor commissioner shall, upon entering upon the duties of his office, recommend and the secretary of state appoint one stenographer who shall receive an annual salary of twelve hundred (1,200) dollars, payable as other State officers.

Bureau estab-  
lished.

SEC. 4196. The duties of the commissioner shall be to collect, systematize, and present in biennial reports to the legislature, statistical details relating to all departments of labor in the State, such as the hours and wages of labor, cost of living, amount of labor required, estimated number of persons depending on daily labor for their support, the estimated number of persons employed by the several industries within the State, the operation of labor-saving machinery in its relation to handle labor, etc. Said statistics may be classified as follows:

Duties.

First. In agriculture.

Second. In mining.

Third. In mechanical and manufacturing industries.

Fourth. In transportation.

Fifth. In clerical and all other skilled and unskilled labor not above mentioned.

Sixth. The amount of cash capital invested in lands, in building and machinery, severally, and means of production and distribution generally.

Seventh. The number, age, sex, and condition of persons employed; the nature of their employment; the extent to which the apprenticeship system prevails in the various skilled industries; the numbers of hours of labor per day; the average length of time employed per annum, and the net wages received in each of the industries and employments within the State.

Eighth. The number and condition of the unemployed, their age, sex, and nationality, together with the cause of their idleness.

Classes of sta-  
tistics.

Ninth. The sanitary condition of lands, workshops, dwellings; the number and size of rooms occupied by the workers, etc.; the cost of fuel, rent, food, clothing, and water in each locality of the State; also the extent to which labor-saving processes are employed to the displacement of hand labor.

Tenth. The number and condition of the Chinese in the State; their social and sanitary habits; number of married and single; the number employed and the nature of their employment; the average wages per day at each employment, and the gross amount yearly; the amount expended by them in rent, food, and clothing, and in what proportion such amounts are expended for foreign and home productions respectively; to what extent their labor comes in competition with the other industrial classes of the State.

Eleventh. The number, condition, and nature of employment of the inmates of the State prison, county jails, and reformatory institutions, and to what extent their employment comes in competition with the labor of mechanics, artisans, and laborers outside of these institutions.

Twelfth. All such other information in relation to labor as the commissioner may deem essential to further the objects sought to be attained by this statute.

Thirteenth. A description of the different kinds of labor organizations in existence in the State, and what they accomplish in favor of the class for which they were organized.

Duties of officers and employers.

SEC. 4197. It shall be the duty of all State, county, and precinct officers, every owner, operator, or manager of every factory, workshop, mill, mine, or mercantile establishment doing business in the State of Colorado where labor is employed to make to the bureau upon blanks furnished by said bureau such reports and returns as the commissioner or his deputies may require for the purpose of compiling all statistics as are authorized by the law creating the department of the bureau of labor statistics, and the owner or business manager shall make such reports and returns within the time prescribed therefor by the deputy commissioner of labor, and shall certify to the correctness of the same. In the report of said bureau no use shall be made of the names of individuals, firms, or corporations supplying the information called for by this section, such information being deemed confidential and not for the purpose of disclosing personal affairs. Any refusal on the part of any State, county, precinct, municipal officers, or the owners, operators, or managers of any factory, workshop, mill, mine, or mercantile establishment to make returns to the deputy commissioner of labor or his deputy shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty (50) dollars nor more than one hundred (100) dollars, or by imprisonment not less than ten days nor more than thirty days in the county jail, or by both such fine and imprisonment at the discretion of the court.

Hindering commissioner.

SEC. 4198. Any person who willfully impedes or obstructs the commissioner in the full and free performance of his duties, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten (10) nor more than fifty (50) dollars, or imprisonment not less than seven (7) nor more than thirty (30) days in the county jail, or both.

Office hours.

SEC. 4199. The office of the bureau shall be open for business from nine o'clock a. m. until five o'clock p. m. every day, except nonjudicial days, and the officers thereof shall give to all persons requesting it, all needed information which they may possess.

Powers of deputy commissioner.

SEC. 4200. The deputy commissioner shall have power to send for persons whenever in his opinion it is necessary and he may examine witnesses under oath, being hereby authorized to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in the office of said deputy commissioner.

Duty to enforce laws.

It shall also be the duty of the deputy labor commissioner to cause to be enforced all laws regulating the employment of chil-

dren, minors, and women; all laws established for the protection of the health, lives, and limbs of all operators in factories, mills, mines, workshops, offices, bakeries, laundries, stores, hotels, railroads, or any public or private works where labor is employed or machinery used; and all laws enacted for the protection of wage-workers.

SEC. 4201. The secretary of state shall provide a suitable office for said commissioner, properly furnished.

Office.

SEC. 4202. [Relates to labor disputes and certain powers of the deputy commissioner in respect thereof. See also section 4351.]

Labor disputes.

SEC. 4203. The commissioner of the bureau of labor statistics of the State of Colorado, is hereby authorized by the provisions of this act to compile and issue every three months in each calendar year a four-page bulletin containing statistics pertaining to labor or industries of the State, so that the public may have the benefit of immediate information on such subject as is contained in the bulletin.

Quarterly bulletins.

SEC. 4204. Not more than three thousand copies of said bulletin shall be issued quarterly and distributed free to the public; the printing of said bulletins shall be paid for in the same manner and from the same fund as State officers' reports. \* \* \*

Free distribution.

[This bureau exists contemporaneously with the industrial commission, which is charged with the performance of certain similar and correlated duties. The law creating the commission is therefore also reproduced, as follows:]

*Industrial commission.*

SEC. 4329. There is hereby created a board which shall be known as the "industrial commission of Colorado." Within thirty days after the passage of this act the governor, by and with the consent of the senate, shall appoint one member whose term of office shall expire March 1, 1917, a second member whose term of office shall expire March 1, 1919, and a third member whose term of office shall expire March 1, 1921. Upon the expiration of each appointment, the governor shall appoint members of the commission, by and with the advice and consent of the senate, for terms of six years each. Vacancies shall be filled in the same manner for unexpired terms. Not more than two of the commissioners shall be members of the same political party. Not more than one of the appointees to such commission shall be a person who, on account of his previous vocation, employment, or affiliations, can be classed as a representative of employers, and not more than one of said appointees shall be a person who, on account of his previous vocation, employment, or affiliations, can be classed as a representative of employees.

Commission created.

Each member of the commission, before entering upon the duties of his office, shall take the oath prescribed by the constitution, and shall give good and sufficient bond running to the people of the State of Colorado, in the penal sum of ten thousand dollars, conditioned that he shall faithfully discharge the duties of his office and shall account for and pay over to the person entitled thereto such moneys as shall come into his possession; said bond shall be signed by a surety company duly authorized to do business in this State, or by two or more individuals as surety or sureties, and shall be subject to approval by the governor and shall then be filed with the secretary of state. If surety company bonds shall be furnished, the premium therefor shall be paid by the State as other expenses of the commission are paid. In case of a vacancy, the remaining two members of the commission shall exercise all the powers and authority of the commission until such vacancy is filled. Each member of the commission shall receive an annual salary of four thousand dollars, and actual expenses necessarily incurred in the perform-

Oath and bonds.

Salary.

- ance of his duties, which shall be in full for all services performed. The commissioners shall devote their entire time to the duties of their office.
- Quorum.** A majority of said commissioners shall constitute a quorum to transact business and for the exercise of any of the powers or authority conferred by this act.
- Employees.** SEC. 4330. The commission shall have power, with the approval of the governor subject to the provisions of the civil-service laws of this State, to employ during its pleasure such deputies, experts, statisticians, accountants, actuaries, inspectors, clerks, and other employees as it may deem necessary to carry out the provisions of this act, or to perform the duties and exercise the powers conferred by law upon the commission. All employees, except experts and actuaries, shall have been for one year prior to such employment or appointment bona fide residents of the State of Colorado and, except experts and actuaries, shall, while in the employ of the commission, devote their entire time to their duties. All employees of the commission shall receive such compensation as may be fixed by the commission; such compensation to be paid monthly from funds appropriated for the use of the commission. All expenses incurred by the commission and its employees pursuant to the provisions of this act shall be paid from funds appropriated for its use, upon the approval of the commission: *Provided, however,* That the traveling expenses of any member or members of the commission, or of any employee or employees thereof, incurred while on business of the commission outside the State of Colorado, shall be paid in the manner aforesaid, but only when such expenses are, in advance, authorized to be incurred by the commission and by the State auditing board.
- Title.** SEC. 4331. The commission shall be known collectively as the "industrial commission of Colorado," and in that name may sue and be sued. It shall have a seal upon which shall be inscribed the words "Industrial Commission-Colorado-Seal." Its seal shall be affixed to all orders, awards, proceedings, and copies thereof and to such other instruments as the commission shall direct. All courts shall take judicial notice of said seal and any copy of any record or proceeding of the commission certified under said seal shall be received in all courts as evidence as if it were the original thereof.
- Seal.**
- Office, supplies, etc.** SEC. 4332. The commission shall keep its office at the capitol and shall be provided by the board of capitol managers or its successors with suitable rooms. The commission is authorized to procure all necessary office furniture, stationery, books, periodicals, maps, instruments, apparatus and appliances, and other necessary supplies and incur such other expenses as may be actual and necessary, and the same shall be paid for in the same manner as other expenses authorized by this act. The commission or a commissioner may hold sessions at any place other than the capitol when the convenience of the commission or the parties interested requires.
- Organization.** SEC. 4333. Within thirty days after the passage of this act, the commission shall meet at the capitol and organize in the manner herein provided. It shall be the duty of the secretary to keep a full and correct record of all proceedings of the commission, to issue all necessary processes, writs, warrants, orders, awards, and notices and to perform all other duties as the commission may prescribe. He shall also have supervision of the collection of data, information concerning matters covered by the provisions of the act, and make such reports thereon as the commission may direct.
- Sessions.** The sessions of the commission shall be open to the public and shall stand and be adjourned without further notice thereof on its record. All of the proceedings of the commission shall be shown on its record, which shall be a public record, and all voting shall be by the calling of each member's name by the secre-

tary, and each member's vote shall be recorded on the proceedings as the same is cast.

SEC. 4334. Subject to the provisions of this act, the commission may adopt its own rules of procedure and may change the same from time to time in its discretion.

Rules.

SEC. 4335. It shall also be the duty of the commission, and it shall have the power, jurisdiction, and authority:

Duties and powers.

(a) To appoint advisors, who shall, without compensation, assist the commission in the execution of its duties.

(b) To inquire into and supervise the enforcement, as far as respects relations between employer and employee, of the laws relating to child labor, laundries, stores, factory inspection, employment of females, employment offices and bureaus, mining, both coal and metalliferous, fire escapes and means of egress from places of employment and all other laws protecting the life, health, and safety of employees in employments and places of employment.

(c) To investigate, ascertain, declare, and prescribe safety devices, safeguards, or other means or methods of protection best adapted to render safe the employees of every employment and place of employment, as may be required by law.

(d) To ascertain and fix such reasonable standards and to prescribe, modify, and enforce such reasonable orders for the adoption of safety devices, safeguards, and other means or methods of protection to be as nearly uniform as possible, as may be necessary to carry out all laws relative to the protection of the life, health, safety, and welfare of employees in employments and places of employment.

(e) To ascertain, fix, and order such reasonable standards, rules, or regulations as provided by law, for the construction, repair, and maintenance of places of employment, as shall render them safe.

(f) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of investigations and hearings, and to alter and amend said rules from time to time in its discretion; such rules and regulations, amendments, and alterations shall be effective ten days after same are adopted and posted upon the bulletin board in the office of said commission in the city of Denver, Colorado. A copy of such rules and regulations shall be mailed or delivered personally to any person making application therefor. The certificate of the secretary or any commissioner as to the posting of said notice shall be sufficient proof thereof in any case.

(g) To license and supervise private employment agencies; to supervise State free employment agencies; to do all in its power to bring together employers seeking employees, and working people seeking employment. It shall investigate the extent and causes of unemployment in the State of Colorado and the remedies therefor, and it shall devise and adopt the most efficient means within its power to avoid unemployment, and to prevent involuntary idleness.

Employment agencies.

(h) Any county, city, or town may enter into an agreement with the commission for such period of time as may be deemed desirable for the purpose of establishing and maintaining local free employment offices, and it shall be lawful for any county, city, or town to appropriate and expend the necessary money and to permit the use of public property for the joint establishment and maintenance of such offices as may be agreed upon.

(i) To collect, collate, and publish statistical and other information relating to the work under its jurisdiction; annually, on or before the twentieth day of December, to make a full report to the governor covering its work during the year preceding the first day of said month of December; to make public reports in its judgment necessary.

Reports.

Forms, etc.

(j) The commission shall cause to be printed and, upon application, furnished, free of charge, to any employer or employee, such blank forms as it shall deem requisite to facilitate or promote the efficient administration of this act; it shall provide such proper record books or records as it shall deem required for the proper and efficient administration of this act, all such records to be kept in the office of the commission. It shall also cause to be printed in proper form for distribution to the public proper pamphlets showing its orders, regulations, and rules of procedure, and shall furnish the same to any person upon application therefor, and the fact that such orders, regulations, and rules of procedure are printed ready for distribution to all who apply for the same, shall be a sufficient publication of the same as required by this act.

Compensation law.

(k) To administer and enforce all the provisions of law relating to compensation for accidental injury to and death of employees.

Orders in effect.

SEC. 4336. All general orders shall be effective ten days after the same are adopted by the commission and posted upon the bulletin board of said commission in its offices in the city of Denver, Colorado.

Special orders shall take effect as therein directed.

The commission may, upon application of any person, grant such time, as may be reasonably necessary for compliance with any order. Any person may petition the commissioner for an extension of time which the commission shall grant if it finds such an extension of time necessary.

All orders of the commission shall be valid and in force, and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose, pursuant to the provisions of this act, or until altered or revoked by the commission.

A substantial compliance with the requirements of this act shall be sufficient to give effect to the orders or awards of the commission, and they shall not be declared inoperative, illegal, or void for any omission of a technical nature in respect thereto.

Power of commission to supervise.

SEC. 4339. The commission is vested with the power and jurisdiction to have such supervision of every employment and place of employment in this State as may be necessary adequately to ascertain and determine the conditions under which the employees labor, and the manner and extent of the obedience by the employer to all laws and all lawful orders requiring such employment and places of employment to be safe, and requiring the protection of the life, health, and safety of every employee in such employment or place of employment, and to enforce all provisions of law relating thereto; and is also vested with power and jurisdiction to administer all provisions of this act with respect to the relations between employer and employee and to do all other acts and things convenient and necessary to accomplish the purposes of this act.

Duty of public officials.

SEC. 4340. It shall be the duty of all officers and employees of the State, the counties, and municipalities, upon request of the commission to enforce in their respective departments, all lawful orders of the commission, in so far as the same may be applicable and consistent with the general duties of such officers and employees; and it shall also be their duty to make to such commission such reports as it may require concerning matters within their knowledge appertaining to the purposes of this act, and to furnish to it such facts, data, statistics, and information as may from time to time come to them appertaining to the purposes of this act, and the duties of such commission thereunder, and particularly all information coming to their knowledge respecting the conditions of all places of employment subject to the provisions of this act, as regards the health, protection, and safety of employees, and the conditions under which they labor.

Statistician.

It shall be the duty of the labor statistician of the bureau of labor statistics to collect, compile, and report to the commission such data, facts, and information as shall come to his depart-

ment or to the commission concerning the relations between employer and employee and relating in any way to the provisions of this act.

SEC. 4341. For the purpose of making any investigation with regard to any employment or place of employment, or other matter contemplated by the provisions of this act, the commission shall have power to appoint, by an order in writing, any member of the commission, any deputy or any other competent person as an agent whose duties shall be prescribed in such order.

Deputies.

In the discharge of his duties such agent shall have every power whatsoever for obtaining information granted in this act to the commission and all powers granted by law to officers authorized to take depositions are hereby granted to such agent.

The commission may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agents the taking of all testimony bearing upon any investigation or hearing. The decision of the commission shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and shall not preclude any further investigation, or the taking of further testimony, if the commission so order.

Agents.

SEC. 4342. Every employer and employee shall furnish the commission, upon request, all information required by it to accomplish the purposes of this act, which information shall be furnished on blanks to be prepared by the commission; and it shall be the duty of the commission to furnish such blanks to such employer free of charge, upon request therefor. Every employer receiving from the commission any blanks, with directions to fill out the same, shall cause the same to be properly filled out so as to answer fully and correctly all questions therein propounded, and to give all the information therein sought, or if unable to do so, he shall give in writing good and sufficient reasons for such failure. The commission may require that the information herein required to be furnished be verified under oath and returned to the commission within the period fixed by it or by law. The commission, or any person employed by it for that purpose, shall have the right to examine, under oath, any employee or employer, or the officer, agent, or employee thereof, for the purpose of ascertaining any information which such employer or employee is required by this act to furnish to the commission. Any employer or employee who shall fail or refuse to furnish such information as may be required by the commission under authority of this act, shall, if an employer, be deemed guilty of a misdemeanor and shall be punished by a fine of two hundred dollars, and if an employee shall be deemed guilty of a misdemeanor and shall be punished by a fine of twenty-five dollars.

Information to be furnished.

SEC. 4343. The information contained in the reports provided for in the preceding section, and such other information as may be furnished to the commission by employers and employees in pursuance of the provisions of this act, shall be for the exclusive use and information of said commission in the discharge of its official duties, and the commission may treat and file the said information or any part thereof as confidential, and when so treated or filed by the commission the same shall be considered as and be confidential information for the sole use of said commission and shall not be open to the public nor be used in any court, in any action or proceeding pending therein, unless the commission is a party to such action or proceeding; but the information contained in said report may be tabulated and published by the commission in statistical form for the use and information of other State departments and the public. Any person in the employ of the commission who shall divulge any such confidential information to any person other than the commission, shall be punished by a fine of not more than one thousand dollars (\$1,000) and shall thereafter be disqualified from holding any appointment or employment with any department under the State.

Use of information.

Entering work  
places.

SEC. 4344. The commission, or any member thereof, and, on being authorized in writing by the commission, any other person, may, without any other warrant than this act, at any reasonable time, enter any building, mine, mine workings, factory, workshop, place, or premises of any kind, wherein, or in respect of which, any industry is carried on or any work is being or has been done or commenced, or any matter or thing is taking place, which has been made the subject of an investigation, hearing, or arbitration by the commission or the board, and inspect and view any work, material, machinery, appliance, or article therein, and interrogate any persons in or upon any such building, mine, mine workings, factory, workshop, place, or premises as aforesaid in respect of or in relation to any matter or thing hereinbefore mentioned; and any person who shall hinder or obstruct the commission, or any such person authorized as aforesaid, in the exercise of any power conferred by this section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars.

Books, records,  
etc.

SEC. 4345. All books, records, and pay rolls of employers, showing or reflecting in any way upon the amount of wage expenditure of such employers, and other data, facts, and statistics appertaining to the purposes of this act, shall always be open for inspection by the commission or any of its deputies or agents for the purpose of ascertaining the conditions of employment, and such other information as may be necessary for the uses and purposes of the commission in its administration of the law.

Any employer who shall refuse to exhibit to and furnish said commission or any of its employees or agents an inspection of any and all books, records, and pay rolls of such employer, showing or reflecting in any way upon the amount of wage expenditure of such employers, and other data, facts, and statistics appertaining to the purposes of this act, or who shall refuse to admit such commission or its agent to any place of employment, shall pay a penalty of not less than \$50 for each day that such failure, neglect, or refusal shall continue.

Procedure.

SEC. 4346. Such commission, or persons by it duly designated, shall not be bound by the usual common law or statutory rules of evidence or by any technical or formal rules of procedure, other than as herein or by the rules of the commission provided; but may make such investigations in such manner as in its judgment are best calculated to ascertain the substantial rights of the parties and to carry out justly the spirit of this act.

Records.

SEC. 4347. A full and complete record shall be kept of all proceedings had before or under the order of the commission on any investigation and all testimony shall be taken down by a stenographer appointed by the commission.

A transcribed copy of the evidence and proceedings, or any specific part thereof, of any investigation or hearing taken by a stenographer appointed by the commission, being certified by such stenographer to be a true and correct transcript of the testimony on the investigation or hearing of a particular witness, or of a specific part thereof, carefully compared by him with his original notes, and to be a correct statement of the evidence and proceedings had on such investigation or hearing so purporting to be taken and subscribed, may be received as evidence by the commission and by any court with the same effect as if such stenographer were present and testified to the facts so certified. A copy of such transcript shall be furnished on demand to any party upon the payment of ten cents per folio. Fees received from the sale of transcripts shall be applicable to the expenses of the commission in addition to all sums which may be appropriated for its use.

Depositions.

SEC. 4348. The commission or any party may in any investigation cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for

like depositions in civil actions in district courts. All such depositions shall be taken upon commission issued by the commission and shall be taken in accordance with the laws and rules of court covering depositions in civil cases in the district courts of this State.

SEC. 4349. In case of failure or refusal of any person to comply with the order of the commission or subpoena issued by it or its agents, or on the refusal of a witness to testify to any matter regarding which he may be lawfully interrogated, or refusal to permit an inspection as provided in this act, the judge of the district court for the county in which the person resides or of the county in which said person has been ordered to appear and testify before said commission, on application of the commission or any person appointed by it, shall compel obedience by attachment proceedings as in case of disobedience of the requirements of subpoena issued from such district court or on a refusal to testify therein. Any person serving a subpoena or order shall receive the same fees as a sheriff for like service. Such subpoena or order may be served by any officer duly authorized to subpoena witnesses, or by any person designated by the commission for such purpose, and proof of the serving of such subpoena or order shall be by the return of such person or officer endorsed thereon or attached thereto, and each witness who appears in answer to a subpoena before the commission or its agent shall, if so ordered by the commission, receive for his attendance the fees and mileage provided for in civil cases in the district court in the county where such witness attends, which shall be paid in the same manner as other expenses of the commission are paid.

Disobedience.

Witness fees.

No witness subpoenaed at the instance of a party other than the commission or its agent shall be entitled to compensation unless the commission in its discretion shall so order.

SEC. 4350. The commission shall inquire into the general condition of labor in the principal industries in the State of Colorado and especially in those which are carried on in corporate forms; into existing relations between employers and employees; into the effect of industrial conditions on public welfare and into the rights and powers of the community to deal therewith; into the conditions of sanitation and safety of employees and the provisions for protecting the life, limb, and health of the employees; into relations existing between lessees of State lands and the State, as to production and royalties or rentals paid, and into the relations between said lessees and their employees with respect to wages paid and conditions of labor; into the growth of associations of employers and of wage earners and the effect of such associations upon the relations between employers and employees; into the extent and results of methods of collective bargaining; into any methods which have been tried in any State or in foreign countries for maintaining mutually satisfactory relations between employees and employers; into methods of avoiding or adjusting labor disputes through peaceable and conciliatory mediation and negotiations; into the scope, methods, and resources of existing bureaus of labor and into possible ways of increasing their efficiency and usefulness. The commission shall seek to discover the underlying causes of dissatisfaction in the industrial situation and take all necessary means and methods within the powers of such commission as provided by law, to alleviate the same, and to report from time to time to the general assembly such remedial legislation as in the judgment of the commission may be advisable, with their recommendations thereon.

General duties.

SEC. 4351. The commission shall do all in its power to promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees, and avoid the necessity of resorting to strikes, lockouts, boycotts, blacklists, discriminations, and legal proceedings in matters of employment. \* \* \*

Arbitration, etc.

**Powers of commission.**

SEC. 4358. The commission shall have full power and authority to hear and determine all questions within its jurisdiction, and its findings, award, and order issued thereon shall be final, except as in this act provided. Any person affected by any finding, order, or award of the commission, may petition for a hearing on the reasonableness of any such finding, order, or award. Such petition shall be verified, and shall specify the finding, order, or award upon which a hearing is desired and every reason why such finding, order, or award is considered unreasonable. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the finding, order, or award upon which a hearing is sought other than those set forth in the petition. All hearings of the commission shall be open to the public.

**Petitions for hearings.**

**Hearings.**

SEC. 4359. Upon the filing with the commission by any party in interest of such petition, the commission shall fix a time for the hearing thereof, which shall not be more than forty days after the filing of such application. The commission shall cause reasonable notice of such hearing, embracing a general statement of such claim, to be given to each party interested, by service of such notice on him personally or by mailing a copy thereof to him at his last known post-office address at least ten days before such hearing. Such hearing may be adjourned from time to time in the discretion of the commission, and hearings shall be held at such places as the commission may designate. Either party shall have the right to be present at any hearing, in person or by attorney, or any other agent, and to present such testimony as may be pertinent to the controversy before the commission, and shall have the right of cross-examination: *Provided*, That the commission may, with or without notice to either party, cause testimony to be taken, or an inspection or investigation to be made; the testimony so taken shall be reported to the commission for its consideration upon final hearing. All *ex parte* testimony taken by the commission shall be reduced to writing and either party shall have opportunity to examine and rebut the same on final hearing. Upon such hearing, if it shall be found that the finding, order, or award complained of is unreasonable, the commission shall substitute therefor such other finding, order, or award as shall be just and reasonable, or may rescind such finding, order, or award. Whenever at the time of the final determination upon such hearing it shall be found that further time is reasonably necessary for compliance with the finding, order, or award of the commission, the commission shall grant such time as may be reasonably necessary for such compliance.

**Findings.**

SEC. 4360. After final hearings by said commission, it shall make and file (1) its findings upon all the facts involved in the controversy, and (2) its award, which shall state its determination as to the rights of the parties. Pending the hearing and determination of any controversy before it, the commission shall have power to make such reasonable orders concerning the subject matter thereof as may be necessary to give effect to the provisions of this act. The commission, on its own motion, on three days' notice to the parties interested, by mail or served personally, may modify or change its order, finding or award at any time within fifteen days from the date thereof, if it shall discover any mistake therein.

**Action in court.**

SEC. 4361. Any person in interest being dissatisfied with any such finding, order, or award of the commission issued or promulgated by virtue of the authority conferred in this act, may commence an action in the district court in and for the county wherein the injury was sustained or in the district court in and for the city and county of Denver against the commission as defendant to modify or vacate the same on the ground that the same is unlawful or unreasonable. All actions shall have precedence over any civil cause of a different nature pending in such

court, and the district court shall always be deemed open for the trial thereof, and the same shall be tried and determined by the district court as other civil actions.

SEC. 4362. No action, proceeding, or suit to set aside, vacate, or amend any finding, order, or award of the commission, or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have first applied to the commission for a hearing thereon as provided in this act, and unless such action, proceeding, or suit shall have been commenced within sixty days after final decision by the commission; nor shall any injunction issue suspending or staying any order of the commission except upon application of the district court or a judge thereof, notice to the commission and hearing thereon.

Procedure.

In such action a copy of the complaint, which shall state the grounds upon which a review is sought, shall be served with the summons. The commission shall file its answer within twenty days after the service of the complaint. With its answer the commission shall make return to said court of all documents and papers on file in the matter, and of all testimony which may have been taken therein, and of its order, finding, and award. Such return of the commission when filed in the office of the clerk of the district court shall constitute a judgment roll in such action; and it shall not be necessary to settle a bill of exceptions in order to make such return part of the record of such court in such action. Said action may thereupon be brought on for hearing before said court, upon such record by either party on ten days' notice to the other; subject, however, to the provisions of law for a change of the place of trial or the calling in of another judge.

SEC. 4363. If, upon trial of such action, it shall appear that all issues arising in such action have not heretofore been presented to the commission in the petition filed as provided in this act, or that the commission has not theretofore had an ample opportunity to hear and determine any of the issues raised in such action, or has for any reason, not in fact heard and determined the issues raised, the court shall, before proceeding to render judgment, unless the parties to such action stipulate to the contrary, transmit to the commission a full statement of such issue or issues not adequately considered, and shall stay further proceedings in such action for fifteen days from the date of such transmission, and may thereafter grant such further stays as may be necessary.

Same.

Upon the receipt of such statement, the commission shall hear and consider the issues not theretofore heard and considered, and may alter, modify, amend or rescind its findings, order, or award complained of in said action, and shall report its action thereon to said court within ten days from the receipt of the statement from the court for further hearing and consideration.

The court shall thereupon order such amendment or other proceeding as may be necessary to raise the issues as presented by such modification of the finding, order, or award as may have been made by the commission upon the hearing, if any such modification has in fact been made, and shall proceed with the trial of such action.

SEC. 4364. Upon such hearing, the court may confirm or set aside such order, but only upon one or more of the following grounds:

Power of court.

(1) That the commission acted without or in excess of its powers.

(2) That the finding, order, or award was procured by fraud.

(3) That the findings of fact by the commission do not support the order or award.

(4) That the award does not do substantial justice to the parties.

Any action commenced in court under this section to set aside or modify any finding, order, or award of the commission shall be brought to trial within thirty days after issue shall be joined, unless continued on order of the court for good cause shown. No continuance shall be for longer than thirty days at one time.

Upon the trial of any such action the court shall disregard any irregularity or error of the commission unless it be made to affirmatively appear that the claimant was damaged thereby.

The record in any case shall be transmitted to the commission within twenty days after the order or judgment of the court, unless, in the meantime, a writ of error addressed to the district court shall be obtained from the supreme court, for the review of such order or judgment.

Upon the setting aside of any finding, order, or award, the court may recommit the controversy and remand the record in the case to the commission for further hearing or proceedings; or it may enter the proper judgment upon the findings, as the nature of the case shall demand. An abstract of the judgment entered by the trial court upon the review of any order or award, shall be made by the clerk thereof upon the docket of said court, and a transcript of such abstract may be obtained as of any entry upon such docket.

Review by su-  
preme court.

SEC. 4365. The commission or any party aggrieved by a judgment entered upon the review of any such finding, order, or award, may have questions of law only reviewed summarily by the supreme court by writ of error, as provided by law, and said cause shall be advanced upon the calendar of the supreme court, and a final decision rendered within sixty (60) days from date of issuance of the writ. It shall not be necessary for said commission or any party aggrieved by said action to execute, serve, or file any undertaking in order to obtain such writ of error.

Fees.

SEC. 4366. No fees shall be charged by the clerk of any court for the performance of any official service required by this act, except for the docketing of judgments, and for certified copies of transcripts thereof. In proceedings to review any finding, order, or award, costs as between the parties shall be allowed, or not, in the discretion of the court, but no costs shall be taxed against said commission. In any action for the review of any finding, order, or award, and upon any review thereof by the supreme court, it shall be the duty of the district attorney of the county wherein said action is pending, or the attorney general, if requested by the commission, to appear on behalf of the commission, whether any other party defendant should have appeared or be represented in the action or not.

Failure to ap-  
pear.

SEC. 4367. Any person who shall fail, refuse, or neglect to appear and testify, or to produce books, papers, and records as required by the subpoena duly served upon him, or as ordered by said commission, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than one hundred dollars, or imprisoned in the county jail not longer than thirty days for each day or part of day that said person is so in default.

The district court of the county wherein such person resides or of the city and county of Denver, or of the county wherein said person has been ordered to appear and testify or to produce such books, papers, and records, upon application of the commission or its agent may issue an order compelling the attendance and testimony of witnesses and the production of books, papers, and records before such commission or any such agent.

Violations.

SEC. 4368. If an employer or employee, or any other person shall violate any provision of this act, or shall do any act prohibited thereby, or shall fail or refuse to perform any duty lawfully enjoined and for which no penalty has been specifically provided, for each such violation, failure, or refusal such employer, employee, or other person shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars for each offense, or by imprisonment in the county jail for not longer than sixty days, or both, for each such offense.

If any employer or employee or any other person shall fail or refuse or neglect to perform any duty lawfully enjoined within the time prescribed by the commission, or shall fail, neglect, or

refuse to obey any lawful order made by the commission, or any judgment or decree made by any court as provided in this act, for each such violation, failure, neglect, or refusal such employer, employee, or other person shall pay a penalty of not less than one hundred dollars for each day such violation, failure, neglect, or refusal shall continue.

The violation of any of the provisions of this act, including any violation herein fixed as a misdemeanor or other crime shall, in the case of a corporation, be considered as and be a violation of the provisions of said act by any and all officers, agents, and representatives of said corporation aiding, abetting, advising, encouraging, participating, inciting, or acquiescing in such violation, and they and each and every one of them shall be individually and separately guilty of such violation and subject to the fines, penalties, and punishments herein provided.

SEC. 4369. Every day during which any employer or officer or agent thereof, or any employee, shall fail to comply with any lawful order of the commission or to perform any duty imposed by this act, shall constitute a separate and distinct violation thereof. Separate offenses.

SEC. 4370. All penalties provided for in this act shall be collected in a civil action brought against the employer or employee as the case may be, in the name of the commission, and all such penalties, when collected, shall be paid into the expense fund of such commission and become a part thereof. Any fine herein provided shall be considered as a penalty and recovered in a civil action as above provided, unless the violation of this act for the punishment of which said fine is provided, is designated as a misdemeanor or other crime. Penalties.

SEC. 4371. Upon request of the commission, the attorney general, or the district attorney of any district or county, shall institute and prosecute the necessary action or proceedings for the enforcement of any of the provisions of this act, or for the recovery of any money due the commission, or any penalty herein provided for, and shall defend in like manner all suits, actions, or proceedings brought against the commission. No district attorney or any assistant, or deputy district attorney, nor the attorney general or deputy, or assistant attorney general within this State shall appear in any proceedings, hearing, investigation, arbitration, award, or compensation matter, except as attorney for and on behalf of said commission, its members, and employees. Enforcement.

SEC. 4372. If, for the purpose of obtaining any order, benefit, or award under the provisions of this act, either for himself or for any other person, any one willfully makes a false statement or representation, he shall be guilty of perjury and punished accordingly. False statements.

[The secretary of state is ex officio commissioner of labor. The deputy commissioner, a statistician, and a stenographer are the force provided for in the appropriation acts. The industrial commission of three members and a secretary make up the official force, except as regards the compensation work.]

## CONNECTICUT.

### GENERAL STATUTES—1918.

#### *Department of labor and factory inspection.*

- Salary.** SECTION 2212 (as amended by chapter 366, Acts of 1921). \* \* \* There shall be paid \* \* \* to the commissioner of labor and factory inspection, thirty-five hundred dollars and necessary postage, stationery, and office expenses, and the traveling expenses of the commissioner and his assistants; and to all other employees of said department such sums as shall be fixed by the commissioner of said department, subject to the approval of the board of control, together with all necessary expenses incident to the performance of the duties of the office, to be paid upon proper vouchers of such employees, signed by the commissioner.
- Department continued.** SEC. 2318. There shall continue to be a department of labor and factory inspection in which shall be consolidated the functions, prerogatives, powers, and duties of the bureau of labor statistics and of the department of factory inspection. The department of labor and factory inspection shall be under the direction and control of a commissioner of labor and factory inspection.
- Appointment of commissioner.** SEC. 2319. The governor, on or before the first day of May in 1919, and quadrennially thereafter, shall appoint, with the advice and consent of the senate, a commissioner of labor and factory inspection to serve for four years from the first day of July next succeeding his appointment.
- Deputies, etc.** SEC. 2320. The commissioner of labor and factory inspection may appoint to and remove from office such deputies, assistants, or employees in the conduct of his office as are authorized and provided for the bureau of labor statistics and for the department of factory inspection.
- Railroad round-houses.** SEC. 2321. The commissioner of labor and factory inspection, or his deputy, shall examine the lighting and sanitary conditions of railroad roundhouses.

#### *Bureau of labor statistics.*

- Bureau established.** SECTION 2322. There shall be a bureau of labor statistics under the management of the commissioner of labor and factory inspection.
- Rooms.** SEC. 2323. The comptroller shall provide suitable rooms in the capitol for the labor bureau. The commissioner of labor and factory inspection may appoint or remove from office a deputy commissioner of the labor bureau to serve under the commissioner of labor and factory inspection in the labor bureau.
- Deputy.**
- Data.** SEC. 2324 (as amended by chapter 185, Acts of 1921). The commissioner of labor and factory inspection shall collect information upon the subject of labor, its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity, and shall have power to summon and examine under oath such witnesses, and may direct the production of and examine or cause to be produced and examined such books, records, vouchers, memoranda, documents, letters, contracts, or other papers in relation thereto as he may find proper, and shall have the same powers in reference thereto as are vested in magistrates in taking depositions; but for this purpose persons shall not be required to leave the vicinity of their residence or places of business.
- Powers.**

SEC. 2325. The commissioner shall annually report to the governor all the statistical details relating to this department.

Reports.

SEC. 2326. The commissioner may employ special agents to assist him in his investigations who shall receive compensation for the time actually employed in such service.

Agents.

SEC. 2327. The commissioner is authorized to investigate the wages, hours of employment, necessary expense of living and health so far as affected by their employment, of wage-earning women and girls in stores, wholesale and retail, public utilities, photographic, undertaking, millinery and dressmakers' establishments, hotels, restaurants, laundries, hairdressing and barber shops, domestic service and tenement-house work. Said investigation shall be conducted under the supervision of said commissioner by a woman specially trained for this work and selected by him. Other employees of said bureau may be detailed to assist in the prosecution of such investigation. Said commissioner shall have power to demand from those possessed of it such information as is pertinent to the investigation herein authorized, and any person who refuses to furnish the information so demanded, within a reasonable time, shall be fined not more than one hundred dollars. Each week during which any person refuses to furnish the information aforesaid after a reasonable time has elapsed shall be a separate offense.

Investigations.

SEC. 2328. The commissioner may appoint competent persons, familiar with the language of alien laborers, as special agents of the bureau, who shall inform said laborers, either personally or through printed matter in their language, as to their right of contract under the laws of the State, and prevent illegal advantage being taken of said laborers by reason of their ignorance, credulity, or want of knowledge of the English language. The appointment of such agents shall not be permanent but simply to meet the exigencies of each case as presented to the commissioner, and they shall be paid the same compensation as is paid other agents of the bureau. The total expense in any one year shall not exceed three hundred dollars. \* \* \*

Aliens.

SEC. 2329. The public employment bureaus in New Haven, Hartford, Bridgeport, Norwich, and Waterbury shall remain as established. \* \* \* The commissioner of labor and factory inspection shall appoint for each bureau, and may remove for good and sufficient cause, a superintendent for the proper administration of its affairs. Such public employment bureaus shall be a department of the bureau of labor statistics.

Public bureaus.

SEC. 2333. No person shall open, keep, or carry on any such [private] employment agency unless he shall procure a license from the commissioner authorizing the licensee to open, keep, or carry on such agency at a designated place. \* \* \*

Private bureaus.

SEC. 2338. There shall be a department of factory inspection under the management of the commissioner of labor and factory inspection.

Factory inspection.

SEC. 2340. The commissioner shall, by himself or a representative, as often as practicable, examine all buildings and places where machinery is used and may enter such buildings and places at all proper times for the purpose of inspection. He shall, on or before the first of December in each year, make a report to the governor of the condition, as respects safety to life and health, of the factories, buildings, and places visited.

Duties.

SEC. 2343. The commissioner of labor and factory inspection shall appoint eight deputies, two of whom shall be women, to assist him in the performance of his duties. Such deputies shall have the same power as the commissioner has in the department of factory inspection, subject to his approval. The commissioner and all deputies appointed under authority of this section are authorized to lodge a complaint with any prosecuting officer for the violation of the provisions of this chapter, and if such prosecuting officer shall refuse to prosecute such offense, the commissioner or his deputy may present such complaint to the judge of the court or the justice of the peace having jurisdiction, and if such judge

Deputies.

or justice of the peace shall find that sufficient facts to warrant prosecution have been presented, he shall forthwith order the prosecuting officer to issue a warrant for such offender. Any prosecuting officer refusing to issue such warrant when so ordered shall be fined not more than twenty-five dollars for each offense.

**Enforcement.**

SEC. 2349. The commissioner shall enforce the provisions of this chapter by giving proper orders or notices to the persons or corporations owning, operating, or managing the factories or buildings inspected by him and shall make complaint to the State's attorneys of all violations of this chapter.

**Rooms.**

SEC. 2354. The comptroller shall provide suitable rooms in the capitol for the department of factory inspection, and furnish blank forms for the notices and orders required by this chapter, and for annual reports. The commissioner shall keep in books provided by the comptroller copies of all notices and orders given by him, and a record of all inspections and examinations made; and upon the expiration of his term of office shall file his books of record with the secretary of the State.

[The commissioner of labor and a commissioner of State employment offices comprise the reported personnel of the department of labor and factory inspection.]

**DELAWARE.**

[The State of Delaware has no bureau or office strictly of the nature of a bureau of labor, but has a labor commission of limited powers and duties, as follows:]

**REVISED CODE—1915.**

**CHAPTER 38 (as amended by chapter 66, Acts of 1915).—Labor commission.**

987, SECTION 1. From and after the approval of this act the Delaware child labor commission shall be abolished and the terms of office, rights, powers, and duties of the members of the said Delaware child labor commission are hereby and shall be abolished, ended, and terminated. A commission is hereby created and established with the powers and duties hereinafter provided, which shall be known as the "Labor Commission of Delaware." The said commission shall consist of five members, one of whom shall be appointed from among the bona fide residents of New Castle County, one from among the bona fide residents of Kent County, and one from among the bona fide residents of Sussex County; the remaining two shall be appointed at large from among the bona fide residents of the State of Delaware. On or before the first day of April, Anno Domini nineteen hundred and fifteen, the governor shall appoint the members of the said Labor Commission of Delaware provided herein, as follows:

Child labor commission abolished.

Labor commission created.

One member for a term of one year, one member for a term of two years, one member for a term of three years, one member for a term of four years, and one member for a term of five years.

The term of office, after the first appointments made hereunder, shall be for five years, and annually, on or before the first day of April, the governor shall appoint a suitable person to fill the vacancy caused by the expiration of the term of office.

Term.

In case of vacancy caused by death, resignation, refusal to serve, or otherwise, the governor shall make appointments to fill such vacancy or vacancies for the balance of the unexpired term.

988, Sec. 2. The members of the commission shall receive no salary for their services. They shall annually elect one of their number as chairman of the said commission and may appoint a person not a member of the commission as secretary who may receive a salary not exceeding one hundred dollars per annum.

Organization.

989, Sec. 3. The commission shall have power and authority by a majority vote of the whole commission to make all appointments of officials or employees which may be made under any law relating to the condition, regulation or inspection of labor of minor children, or the condition, regulation, or inspection of labor of females in the State of Delaware. The officers or employees so appointed shall make quarterly reports to the commission. When in the opinion of the majority of the whole commission, any official or employee appointed or engaged by the commission shall not perform his or her duty in a satisfactory and efficient manner, the commission shall have the power to remove the said official or employee and to appoint a new official or employee in his or her stead: *Provided, however,* That no official shall be removed from office until such official shall have had a fair and impartial public hearing, and shall have been furnished with a copy of the charges and specifications of complaints upon which the action of the commission shall have been based, if such charges and specifications be requested.

Appointees.

- Report.** 990, SEC. 4. The commission shall furnish annually to the governor during the first week in January a full account of their expenditures, disbursements, and action. Such report shall at all times be open to the inspection of the citizens of the State in the office of the secretary of state.
- Appropriation.** 991, SEC. 5. To defray the expenses of the said commission and its officers and employees the sum of one thousand dollars is hereby appropriated annually out of the money in the State treasury not otherwise appropriated, and the State treasurer is authorized from time to time to pay said expenses out of the said appropriation upon the requisitions of the chairman of said commission.
- Printing.** 992, SEC. 6. The Labor Commission of Delaware shall formulate and have printed certificates and papers required in the issuing of employment certificates and the abstracts of the law relating to the hours of child labor and the conditions and hours of females in this State.
- Appointees.** The said commission shall have the power to appoint and fill vacancies in the office of the State child labor inspector, as provided by section 91 [3191] of chapter 90, of said Revised Code of the State of Delaware, and to appoint and fill vacancies in the office of the inspector [of woman labor] as provided by section 39 [3139] of the said chapter 90 of the Revised Code of the State of Delaware.

Approved February 19, 1915.

[The organization consists of five commissioners, a secretary, a chief of the child labor division, an assistant in the woman's labor division, and an inspector of canneries.]

#### DISTRICT OF COLUMBIA.

[No office corresponding to a State labor bureau exists in the District of Columbia. The Commissioners of the District enforce certain safety laws, and appoint three inspectors of woman labor under the act of February 29, 1914 (38 Stat. 291), relative to the hours of labor of women, and two inspectors of child labor under the act of May 28, 1908 (35 Stat. 420).]

#### FLORIDA.

[The State of Florida has no bureau of labor, its only provision of law in this field being as follows:]

#### REVISED GENERAL STATUTES—1920.

##### *State labor inspector.*

- Office created.** SECTION 4037. For the purpose of carrying out the provisions of this article [relating to the employment of children and factory inspection] the office of State labor inspector is hereby created, such office to be filled by any capable person, male or female, by appointment of the governor for a term of four years, such term to begin from and after such appointment, but said inspector shall have no power or authority except as conferred by this article.
- Salary.** SEC. 4038. The said State labor inspector shall receive an annual salary of eighteen hundred dollars, payable monthly out of any moneys not otherwise appropriated, as other salaries of State employees, together with such necessary traveling expenses as may be incurred by him or her in making such trips of inspection not to exceed eight hundred dollars. The inspector shall also be allowed all office stationery and other expenses not to exceed two hundred dollars per year, such expenses to be paid out of any moneys not otherwise appropriated.
- Expenses.**

[The State labor inspector alone comprises the personnel of the office.]

## GEORGIA.

### PARK'S ANNOTATED CODE—1914: SUPPLEMENT—1922.

#### *Department of commerce and labor.*

SECTION 2141(a). A department of commerce and labor is hereby created and established, the duties of which department shall be exercised and discharged by a commissioner, who shall be designated as commissioner of commerce and labor, by an assistant, and by a chief clerk, who shall be a stenographer. Said assistant and said chief clerk shall be appointed by the commissioner.

Department  
created.

SEC. 2141(b). Said commissioner of commerce and labor shall be elected by persons qualified to vote for members of the general assembly, at the same time, in the same manner, and under the same rules and regulations as the governor and statehouse officers; and shall hold his office for two years and until his successor is elected and qualified, unless removed in the manner now prescribed by law for the removal of officials of the State government. In case of a vacancy in the office of commissioner of commerce and labor from any cause, such vacancy shall be filled by appointment by the governor, which appointee shall hold the office until his successor is elected and qualified. \* \* \*

Commissioner.

SEC. 2141(c). The office of said department shall be kept in the capitol and shall be furnished and provided for as are other departmental officers of the State.

Office.

SEC. 2141(d). Said commissioner and his assistant shall devote their whole time to the duties of their office and shall not hold any other office during their terms of office.

Full time.

SEC. 2141(e). The commissioner, aided by his lawful assistants, shall collect and collate information and statistics concerning labor and its relation to capital, showing labor conditions throughout the State; the hours of labor; the earnings of laborers; and their educational, moral, and financial condition, and the best means of promoting their mental, moral, and material welfare; shall investigate the cause and extent of labor shortage, and the migration of labor; shall also collect and collate information and statistics concerning the location, capacity of mills, factories, workshops, and other industries, and actual output of manufactured products, and also the character and amount of labor employed; the kind and quantity of raw material annually used by them, and the capital invested therein; and such other information and statistics concerning the natural resources of the State and the industrial welfare of the citizens as may be deemed necessary and of interest and benefit to the public and by the dissemination of such data to advertise the various industrial and natural resources of Georgia in order to attract desirable settlers and to bring capital into the State. The department of commerce and labor is also charged with the following duties:

Information to  
be obtained.

[The duties named are the maintenance of a free employment service, the supervision of private employment agencies and of emigrant agents, and investigating and issuing permits to persons desiring to secure in the State workmen to be employed outside its boundaries.]

SEC. 2141(f). The commissioner shall furnish suitable blanks to the heads of the various industries of this State, upon which answers are desired in the collection of such statistical data.

Blanks to be  
furnished.

SEC. 2141(g). No use shall be made in the report of the department of the names of individuals, firms, or corporations supplying the information called for by this law, such information being deemed confidential, and not for the purpose of disclosing any person's private affairs.

Information  
confidential.

- County officials.** SEC. 2141(h). All officers of the various counties of this State shall, when called upon, furnish the commissioner such statistical and other information within their official knowledge or keeping, concerning such industrial and other interests, within the purview and intent of this law.
- Law enforcement.** SEC. 2141(i). Said commissioner shall make investigation concerning the operation of the various laws relating to the safety of the life and limb of employees, especially those concerning the employment of child labor and of women, and he shall take legal steps looking to the proper enforcement and due observance of such laws.
- Strikes, etc.** SEC. 2141(j). Said commissioner may inquire into the causes of strikes and lockouts, and other disagreements between employers and employees; and, whenever practicable, offer his good offices to the contending parties with a view of bringing about friendly and satisfactory adjustments thereof.
- Reports.** SEC. 2141(k). The commissioner shall annually publish a report addressed to the governor, embodying therein such information and statistics as he may deem expedient and proper, which report shall be printed and paid for by the State just as reports of other public officers are printed and paid for, the number of copies of such report to be printed to be designated by the commissioner. He shall also make a full report to the governor as other officers are required to do, embodying therein such recommendations as he may deem calculated to promote the efficiency of his department.
- Salary, etc.** SEC. 2141(l). The commissioner shall receive a salary of thirty-six hundred dollars per annum; the assistant commissioner eighteen hundred dollars per annum; and the chief clerk and stenographer fifteen hundred dollars per annum, and eighteen hundred dollars per annum shall be allowed for the incidental expenses of said department, including the actual traveling expenses of said commissioner, assistant, and chief clerk, while traveling for the purpose of collecting information and statistics as provided for in this law.
- [The organization of the department comprises the commissioner, assistant commissioner, chief clerk, and a factory inspector.]

### HAWAII

[No labor official is provided for in the Territory of Hawaii other than the industrial accident boards for each county, charged solely with the administration of the compensation act.]

# IDAHO.

## CONSTITUTION.

### ARTICLE 13.—*Bureau of immigration, labor and statistics.*

SECTION 1. There shall be established a bureau of immigration, labor and statistics, which shall be under the charge of a commissioner of immigration, labor and statistics, who shall be appointed by the governor, by and with the consent of the senate. The commissioner shall hold his office for two years, and until his successor shall have been appointed and qualified, unless sooner removed. The commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor and the earnings of laboring men and women, and the means of promoting their material, social, intellectual and moral prosperity. The commissioner shall annually make a report in writing to the governor of the State of the information collected and collated by him, and containing such recommendations as he may deem calculated to promote the efficiency of the bureau.

Bureau of immigration, etc.

Duties of commissioner.

SEC. 8. The commissioner of immigration, labor and statistics shall perform such duties and receive such compensation as may be prescribed by law.

Same subject.

### COMPILED STATUTES—1919.

#### *Department of immigration, labor and statistics.*

SECTION 331. The department of immigration, labor and statistics is the bureau of immigration, labor and statistics heretofore established by law. It shall have power:

Duties.

1. To promote the welfare of workers and to improve their commercial, industrial, social and sanitary condition.

2. To collect information upon the subject of labor, its relation to capital, the hours of labor and the earnings of laboring men and women, and the means of promoting their material, social, intellectual and moral prosperity.

3. To visit and inspect, during reasonable hours, all shops, factories and mercantile establishments and other places where workmen are employed, as often as practicable, and to cause the provisions of law to be enforced therein.

4. To inspect the sanitary conditions, system of sewerage, system of heating, lighting and ventilating of rooms where persons are employed at labor and the means of exit in case of fire or other disaster, within or connected with shops and factories. To examine the machinery in and about such shops and factories to see that it is not located so as to be dangerous to employees when engaged in their ordinary duties.

5. To collect and compile reliable data which if disseminated would tend to the development of the State by inducing population and capital to come within its borders.

6. To declare and prescribe what safety devices, safeguards or other means or methods of protection are well adapted to render employees and places of employment safe.

7. To fix and order such reasonable standards for the construction, maintenance and repair of places of employment as shall render them safe.

8. To require the performance of any act necessary for the protection of the life, health and safety of employees.

SEC. 2268. In conformity with the requirements of section 1, Article XIII, of the constitution of the State of Idaho, a bureau of immigration, labor and statistics for the State is hereby established, which is the department of immigration, labor and statistics.

Office established.

SEC. 2269. It shall be the duty of the governor, by and with the consent of the senate, to appoint a competent person as com-

Commissioner.

missioner of immigration, labor and statistics, who shall have charge of said department, and who shall hold his office for the term provided in Article XIII of the constitution. He shall receive a salary of \$3,600 a year, and such additional sum for general expenses, including his traveling expenses, printing, clerical hire and other actual and necessary expenses of his office, as the legislature shall authorize and appropriate, to be paid as are the salaries and expenses of other State officers. Before entering upon the duties of his office, he shall take oath for the faithful discharge of the duties thereof, the same as other State officers. The secretary of state shall provide a suitable room for the use of said department and furnish the necessary fuel, light and appurtenances. All books, papers and documents in the office of said commissioner shall be deemed public records of the State, and shall be transferred by him to his successor in office.

**Duties.**

SEC. 2270. It shall be, and is hereby made, the duty of said commissioner to collect and compile all reliable data and information at his command, concerning the climate, soil and various resources of the State; its agricultural, horticultural, mineral, timber and grazing lands, and industries, and the development thereof; \* \* \* the wages and hours of labor, both skilled and common, and its relation to capital; and, generally, any information, which if disseminated abroad, would tend to the development of the State by inducing population and capital to come within its borders. \* \* \*

**Powers.**

SEC. 2271. In order to enable said commissioner to secure the above required information, he is hereby clothed with the power to call upon officers of the State, county assessors, superintendents of public instruction, and other officers, for such information as he may desire and deem valuable in his department.

**Report.**

SEC. 2274. The commissioner shall, on or before the first day of December in each year, transmit to the governor a full and complete report of the doings of his office, including a tabulated statement of all statistics accumulated in his office, and a detailed and itemized account of the expenses thereof.

**Statistics of labor.**

SEC. 2275. The commissioner shall collect information upon the subject of labor, its relation to capital, the hours of labor, and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity, and assort, systematize, print and present in annual reports to the governor, on or before the 1st day in December of each year, statistical details relating to all departments of labor in this State, including the penal institutions thereof, particularly concerning the hours of labor, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics, and apprentices, wages earned, the savings from the same, the culture, moral and mental, with age and sex, of laborers employed, and number and character of accidents, the sanitary condition of institutions and other places where labor is employed, as well as the influence of the several kinds of labor, and the use of intoxicating liquor upon the health and mental condition of the laborer, the restrictions, if any, which are put upon apprentices when indentured, the proportion of married laborers and mechanics who live in rented houses, with the annual rental of the same, the average number of members in the families of married laborers and mechanics, the value of property owned by laborers and mechanics, together with the value of property owned by such laborers and mechanics (if foreign born), upon their arrival in this country, and the length of time they have resided here, the subject of cooperation, strikes, or other labor difficulties, trades-unions, and other labor organizations, and their effects upon labor and capital, with such other matter relating to the commercial, industrial, and sanitary condition of the laboring classes, and permanent prosperity of the respective industries of the State, as such department may be able to gather, accompanied by such recommendations relating thereto as the department shall deem proper.

ILLINOIS.

REVISED STATUTES—1917.

CHAPTER 24½.—CIVIL ADMINISTRATIVE CODE.

Department of labor.

SECTION 3. Departments of the State government are created as follows: Department created.

\* \* \* \* \* The department of labor: \* \* \*.

SEC. 4. Each department shall have an officer at its head who shall be known as a director, and who shall, subject to the provisions of this act, execute the powers and discharge the duties vested by law in his respective department. Director.

The following offices are hereby created: \* \* \* Director of labor, for the department of labor; \* \* \*.

SEC. 5. In addition to the directors of departments, the following executive and administrative officers, boards, and commissions, which said officers, boards, and commissions in the respective departments, shall hold offices hereby created and designated as follows: Other officers.

\* \* \* \* \* In the department of labor: Assistant director of labor; Chief factory inspector; Superintendent of free employment offices; Chief inspector of private employment agencies;

The industrial commission, which shall consist of five officers designated Industrial Officers.

\* \* \* \* \* The above-named officers, and each of them, shall, except as otherwise provided in this act, be under the direction, supervision, and control of the director of their respective departments, and shall perform such duties as such director shall prescribe.

SEC. 6. Advisory and nonexecutive boards, in the respective departments, are created as follows: Boards.

In the department of labor:

A board of Illinois free employment office advisors, composed of five persons;

A board of local Illinois free employment office advisors, for each free employment office, composed of five persons on each local board.

\* \* \* \* \* The members of each of the above-named boards shall be officers.

SEC. 7 (as amended by act, page 340, Acts of 1921).

Of the five industrial officers, two shall be representative citizens of the employing class operating under the workmen's compensation act, two shall be representative citizens chosen from among the employees operating under such act, and the other shall be a representative citizen not identified with either the employing or employee classes. Qualifications.

Of the five Illinois free employment office advisors, two shall be representative employers, two representatives of organized labor, and one representative citizen who is neither an employer nor an employee.

The five local Illinois free employment office advisors shall have the same qualifications as the Illinois free employment office advisors.

Powers and duties.

SEC. 8. Each advisory and nonexecutive board, except as otherwise expressly provided in this act, shall, with respect to its field of work, or that of the department with which it is associated, have the following powers and duties:

1. To consider and study the entire field; to advise the executive officers of the department upon their request; to recommend, on its own initiative, policies and practices, which recommendations the executive officers of the department shall duly consider, and to give advice or make recommendations to the governor and the general assembly when so requested, or on its own initiative;

2. To investigate the conduct of the work of the department with which it may be associated, and for this purpose to have access, at any time, to all books, papers, documents, and records pertaining or belonging thereto, and to require written or oral information from any officer or employee thereof;

3. To adopt rules, not inconsistent with law, for its internal control and management, a copy of which rules shall be filed with the director of the department with which such board is associated;

4. To hold meetings at such times and places as may be prescribed by the rules, not less frequently, however, than quarterly;

5. To act by a subcommittee, or by a majority of the board, if the rules so prescribe;

6. To keep minutes of the transactions of each session, regular or special, which shall be public records and filed with the director of the department;

7. To give notice to the governor and to the director of the department with which it is associated of the time and place of every meeting, regular or special, and to permit the governor and the director of the department to be present and to be heard upon any matter coming before such board.

Salaries.

SEC. 9 (as amended by act, page 335, Acts of 1921). \* \* \* The executive and administrative officers, whose offices are created by this act, shall receive annual salaries, payable in equal monthly installments, as follows:

\* \* \* \* \*

In the department of labor:

The director of labor shall receive seven thousand dollars;

The assistant director of labor shall receive four thousand dollars;

The chief factory inspector shall receive four thousand dollars; The superintendent of free employment offices shall receive three thousand dollars;

The chief inspector of private employment agencies shall receive four thousand dollars;

Each industrial officer shall receive five thousand dollars.

Advisory boards unpaid.

SEC. 10. No member of an advisory and nonexecutive board shall receive any compensation.

Entire time.

SEC. 11. Each executive and administrative officer, except the two food standard officers, the members of the mining board, and the members of the normal school board shall devote his entire time to the duties of his office and shall hold no other office or position of profit.

Appointments.

SEC. 12. Each officer whose office is created by this act shall be appointed by the governor, by and with the advice and consent of the senate. In any case of vacancy in such offices during the recess of the senate, the governor shall make a temporary appointment until the next meeting of the senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the senate, shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the senate is not in session at the time this act takes effect, the governor shall make a temporary appointment as in case of a vacancy.

Term.

SEC. 13. Each officer whose office is created by this act, except as otherwise specifically provided for in this act, shall hold office

for a term of four years from the second Monday in January next after the election of a governor, and until his successor is appointed and qualified. \* \* \*

Sec. 14. [Prescribes an oath of office.]

Oath.  
Bond.

Sec. 15. Each executive and administrative officer whose office is created by this act shall, before entering upon the discharge of the duties of his office, give bond, with security to be approved by the governor, in such penal sum as shall be fixed by the governor, not less in any case than \$10,000, conditioned for the faithful performance of his duties, which bond shall be filed in the office of the secretary of state.

Sec. 16. [Authorizes directors to make office rules.]

Rules.  
Offices.

Sec. 17. Each department shall maintain a central office in the capitol building at Springfield, in rooms provided by the secretary of state. The director of each department may, in his discretion and with the approval of the governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department.

Hours.

Sec. 18. Each department shall be open for the transaction of public business at least from eight-thirty o'clock in the morning until five o'clock in the evening of each day except Sundays and days declared by the negotiable instrument act to be holidays.

Sec. 19. [Authorizes official seal.]

Seal.  
Employees.

Sec. 20. Each department is empowered to employ, subject to civil service laws in force at the time the employment is made, necessary employees, and, if the rate of compensation is not otherwise fixed by law, to fix their compensation.

Work time.

Sec. 21. All employees in the several departments shall render not less than seven and one-half hours of labor each day, Saturday afternoons, Sundays, and days declared by the negotiable instrument act to be holidays, except in cases in which, in the judgment of the director, the public service will not thereby be impaired.

Reports.

Sec. 25. Each director of a department shall annually on or before the first day of December, and at such other times as the governor may require, report in writing to the governor concerning condition, management, and financial transactions of their respective departments. In addition to such reports, each director of a department shall make the semiannual and biennial reports provided by the constitution. The departments shall make annual and biennial reports at the time prescribed in this section, and at no other time.

Powers.

Sec. 43. The department of labor shall have power:

1. To exercise the rights, powers, and duties vested by law in the commissioners of labor, the secretary, other officers and employees of said commissioners of labor;

2. To exercise the rights, powers, and duties vested by law in the superintendents and assistant superintendents of free employment offices, general advisory board of free employment offices, local advisory boards of free employment offices, and other officers and employees of free employment offices;

3. To exercise the rights, powers, and duties vested by law in the chief inspector of private employment agencies, inspectors of private employment agencies, their subordinate officers and employees;

4. To exercise the rights, powers, and duties vested by law in the chief factory inspector, assistant chief factory inspector, deputy factory inspector, and all other officers and employees of the State factory inspection service;

5. To exercise the rights, powers, and duties vested by law in the State board of arbitration and conciliation, its officers, and employees;

6. To exercise the rights, powers, and duties vested by law in the industrial board, its officers, and employees;

7. To foster, promote, and develop the welfare of wage earners;
8. To improve working conditions;
9. To advance opportunities for profitable employment;
10. To collect, collate, assort, systematize, and report statistical details relating to all departments of labor, especially in its relation to commercial, industrial, social, educational, and sanitary conditions, and to the permanent prosperity of the manufacturing and productive industries;
11. To collect, collate, assort, systematize, and report statistical details of the manufacturing industries and commerce of the State;
12. To acquire and diffuse useful information on subjects connected with labor in the most general and comprehensive sense of that word;
13. To acquire and diffuse among the people useful information concerning the means of promoting the material, social, intellectual, and moral prosperity of laboring men and women;
14. To acquire information and report upon the general condition, so far as production is concerned, of the leading industries of the State;
15. To acquire and diffuse information as to the conditions of employment, and such other facts as may be deemed of value to the industrial interests of the State;
16. To acquire and diffuse information in relation to the prevention of accidents, occupational diseases, and other related subjects.

**Sec. 44.** The department of labor shall exercise and discharge the rights, powers, and duties vested by law in the industrial board under an act [the workmen's compensation law] \* \* \* approved June twenty-eighth, nineteen hundred and thirteen, in force July first, nineteen hundred and thirteen, or any future amendments thereto or modifications thereof.

Industrial com-  
mission.

Said act and all amendments thereto and modifications thereof, if any, shall be administered by the industrial commission created by this act, and in its name, without any direction, supervision, or control by the director of labor.

The industrial commission shall also, in its name and without any direction, supervision, or control by the director, administer the arbitration and conciliation act.

[The personnel of the department of labor consists of a director, assistant director, chief factory inspector, chief of division of free employment agencies, chief inspector of private employment agencies, and an advisory board of four members, a secretary, and a statistician.]

INDIANA.

ANNOTATED STATUTES, 1914.

*Bureau of statistics.*

[This office was abolished by chapter 79, Acts of 1917. However, its duties were continued, and devolved upon the industrial board, which was created by chapter 106, Acts of 1915. The law prescribing the duties, etc., of the bureau is reproduced below.]

SECTION 9341. The duties of said bureau shall be to collect, systematize, tabulate, and present in annual reports, as hereinafter provided, statistical information and details relating to agriculture, manufacturing, mining, commerce, education, labor, social and sanitary conditions, vital statistics, marriages and deaths, and to the permanent prosperity of the productive industry of the people of the State.

Duties.

SEC. 9347. In addition to the other duties now imposed by law on the chief of the Indiana Bureau of Statistics, he shall collect, compile and systematize statistics, with reference to the subject of labor in its social, educational, industrial and general condition, wages and treatment of all classes of our working people, to the end that the effects of the same upon the permanent prosperity and productive industry may be shown, and shall report to the legislature, in convenient form, the results of his investigation.

Statistics of labor.

SEC. 9348. The duties of such bureau shall be to collect \* \* \* assort, systematize, print and present in biennial reports to the legislature statistical details relating to all departments of labor in this State, including the penal institutions thereof, particularly concerning the hours of labor, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics and apprentices, wages earned, savings from the same, the culture, moral and mental, with age and sex of person employed, the number and character of accidents, the sanitary condition of institutions where labor is employed, as well as the influence of the several kinds of labor, and the use of intoxicating liquors upon the health and mental condition of the laborers, the restrictions, if any, which are put upon apprentices when indentured, the proportion of married laborers and mechanics who live in rented houses, with the average annual rental of the same, the average number of members in the families of married laborers and mechanics, the value of property owned by laborers or mechanics (if foreign born) upon their arrival in this country, and the length of time they have resided here, the subjects of cooperation, strikes or other labor difficulties, trade-unions, and other labor organizations, and their effects upon labor and capital, with such other matter relating to the commercial, industrial and sanitary condition of the laboring classes and permanent prosperity of the respective industries of the State, as such bureau may be able to gather, accompanied by such recommendations relating thereto as the bureau may deem proper.

Reports, etc.

SEC. 9349. The chief or duly authorized deputy shall have power to examine witnesses under oath, to compel the attendance of witnesses and the production of papers while acting in any part of this State, and witnesses may be summoned by said chief or authorized deputy thereof by its process, in the same manner administer oaths and take testimony in all matters relating to the duties herein required of said bureau.

Power of chief.

SEC. 9350. Any county, municipal or township officer, corporation, firm, individual or association doing business within this State, who shall neglect or refuse for thirty days, to answer ques-

Refusing to answer questions.

tions by circular or upon personal application, or who shall refuse to obey the summons and give testimony according to the provisions of this act [secs. 9347 to 9350, inclusive], shall be liable to a penalty of one hundred dollars, to be collected by the order of the chief of said bureau of statistics in an action wherein the State of Indiana shall be plaintiff.

Information to  
be furnished.

SEC. 9355. It shall be the duty of the several city, incorporated town, county and township assessors, trustees, officers of school boards and boards of health, in their respective cities, towns, counties and townships; the agents or superintendents of all manufacturing, mining, and mechanical establishments; the managers and superintendents of all corporations, manufacturing, mechanical and transportation companies and associations; and county superintendents of schools—to make reports and answer questions relating to the duties of said bureau, upon such blanks as may be furnished to them for such purposes by said bureau. And the chief of said department shall have power to administer oaths, and to examine witnesses, under oath, on questions relating to production, manufacturing, mining, transportation, labor, wages, savings, and respecting such other matters as relate to the duties of said bureau.

Penalty.

SEC. 9357. Any person or persons authorized by the bureau to collect statistics, or to answer questions relating thereto, who shall neglect or refuse to make true returns, as provided for in this act [secs. 9355, 9357], shall forfeit and pay a fine not exceeding two hundred dollars.

## ACTS OF 1915.

### CHAPTER 106.—*Industrial board.*

Industrial  
board.

SECTION 50 (as amended by chapter 57, Acts of 1919). There is hereby created the industrial board of Indiana, which shall consist of five members, two of whom shall be attorneys, and not more than three of whom shall be of the same political party, appointed by the governor, one of whom he shall designate as chairman.

The chairman of said board shall be an attorney of recognized qualifications.

Term.

Each member of the board shall hold his office for four years and until his successor is appointed and qualified, unless removed by the governor, except that the three present members of said board shall continue to serve for and during the terms for which they have been appointed, unless removed as hereinafter provided, and of the two additional members hereby provided for, one shall be appointed for two years and one for four years. Thereafter, upon the expiration of the term of any member, the governor shall appoint his successor for the full term of four years.

Each member of the board shall devote his entire time to the discharge of the duties of his office and shall not hold any other position of trust or profit or engage in any occupation or business interfering with or inconsistent with the discharge of his duties as such member.

Any member of said board may be removed by the governor at any time for incompetency, neglect of duty, misconduct in office, or other good cause, to be stated in writing in the order of removal.

Salaries.

In case of a vacancy in the membership of said board, the governor shall appoint for the unexpired term.

SEC. 51 (as amended by chapter 57, Acts of 1919). The annual salary of each member of the board shall be four thousand dollars.

The board may appoint a secretary at a salary of not more than twenty-five hundred dollars a year and may remove him. The secretary shall have the authority to administer oaths and issue subpoenas.

The board, subject to the approval of the governor, may employ and fix the compensation of such clerical and other assistants as it may deem necessary. The clerical and other assistants shall be employed with special reference to their qualifications for the discharge of the duties assigned to them, and without regard to their political affiliations, except that not more than sixty per cent of such employees shall be of the same political party: *Provided*, That none of the present employees shall be discharged merely to establish such political proportion.

The members of the board and its assistants shall be entitled to receive from the State their actual and necessary expenses while traveling on the business of the board, but such expenses shall be sworn to by the person who incurred the same and shall be approved by the chairman of the board before payment is made.

Expenses.

All salaries and expenses of the board shall be audited and paid out of the State treasury in the manner prescribed for similar expenses in other departments or branches of the State service.

SEC. 52. The rights, powers, and duties conferred by law upon the State bureau of inspection of the State of Indiana are hereby continued in full force and are hereby transferred to the industrial board hereby created and shall be held and exercised by them under the laws heretofore in force and the said State bureau of inspection is hereby abolished. The present chief inspector of said State bureau of inspection is hereby made a member of said industrial board until the expiration of one year from the date of the taking effect of this act and until his successor is appointed and qualified. The deputy inspectors heretofore appointed by the governor as deputy inspectors in said State bureau of inspection, to wit: Inspector of buildings, factories, and workshops, inspector of boilers, and inspector of mines and mining, together with their assistant inspectors, are hereby continued in their respective offices, at their present salaries, until the expiration of the terms for which they are respectively appointed and until their successors are appointed and qualified, and each of them respectively shall have and perform all the rights, powers, and duties now held and performed by each of them, respectively, together with such other rights, powers, and duties as may be prescribed by said industrial board. Upon the termination of the said terms of office for which said deputy inspectors have been appointed, said industrial board, with the concurrence of the governor, shall appoint their successors to serve during the pleasure of said industrial board.

Transfer of powers.

SEC. 53. All the rights, powers, and duties of the labor commission of the State of Indiana, heretofore created and subsequently transferred to and vested in the State bureau of inspection, are hereby abolished.

Labor commission abolished.

SEC. 54. The board shall be provided with adequate offices in the capitol or some other suitable building in the city of Indianapolis, in which the records shall be kept and its official business be transacted during regular business hours; it shall also be provided with necessary office furniture, stationery, and other supplies.

Offices.

The board or any member thereof may hold sessions at any place within the State as may be deemed necessary.

Approved March 8, 1915.

[The organization of the industrial board comprises the five members of the board; a chief of the factory, building and workshop inspection department, with five assistants; a chief of the boiler inspection department, with four assistants; a chief of the mine inspection department, with five assistants; a director of the department of women and children, with two investigators; and a director of the free employment department. The board also administers the workmen's compensation law of the State, in which service the largest department under the board is engaged.]

IOWA.

CODE AND SUPPLEMENT.

*Bureau of labor statistics—Inspection, etc., of factories.*

**Commissioner.** SECTION 2469. The bureau of labor statistics shall be under the control of a commissioner, biennially appointed by the governor, by and with the advice and consent of the executive council, whose term of office shall commence on the first day of April in each odd-numbered year and continue for two years, and until his successor is appointed and qualified. He may be removed for cause by the governor, with the advice of the executive council, record thereof being made in his office; any vacancy shall be filled in the same manner as the original appointment. He shall give bonds in the sum of two thousand dollars with sureties to be approved by the governor, conditioned for the faithful discharge of the duties of his office, and take the oath prescribed by law. He shall have an office in the capitol, safely keep all records, papers, documents, correspondence, and other property pertaining to or coming into his hands by virtue of his office, and deliver the same to his successor, except as hereinafter provided. \* \* \*

**Duties.** SEC. 2470. The duties of said commissioner shall be to collect, assort, systematize, and present in biennial reports to the governor statistical details relating to all departments of labor in the State, especially in its relations to the commercial, social, educational, and sanitary conditions of the laboring classes, the means of escape from, and the protection of life and health in factories, the employment of children, the number of hours of labor exacted from them and from women, and to the permanent prosperity of the mechanical, manufacturing, and productive industries of the State; and he shall, as fully as practicable, collect such information and reliable reports from each county in the State, the amount and condition of the mechanical and manufacturing interests, the value and location of the various manufacturing and coal productions of the State, \* \* \* and in said biennial report he shall give a statement of the business of the bureau since the last regular report, and shall compile and publish therein such information as may be considered of value to the industrial interests of the State, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics' and apprentices' wages earned, the savings from the same, with age and sex of laborers employed, the number and character of accidents, the sanitary condition of institutions where labor is employed, the restrictions, if any, which are put upon apprentices when indentured, the proportion of married laborers and mechanics who live in rented houses, with the average annual rental, and the value of property owned by laborers and mechanics; and he shall include in such report what progress has been made with schools now in operation for the instruction of students in the mechanic arts, and what systems have been found most practical, with details thereof. Such report shall not contain more than six hundred printed pages, and shall be of the number, and distributed in the manner, provided by law. He shall make a report to the governor during the year 1906, and biennially thereafter. \* \* \*

**Report.**

**Bulletins.**

Said commissioner may from time to time, with the consent of the executive council, issue bulletins containing information of importance to the industries of the State and to the safety of wage earners.

**SEC. 2471.** The commissioner of the bureau of labor statistics shall have the power to issue subpoenas, administer oaths, and take testimony in all matters relating to the duties herein required by said bureau, said testimony to be taken in some suitable place in the vicinity to which testimony is applicable. Witnesses subpoenaed and testifying before the commissioner of the bureau shall be paid the same fees as witnesses before a justice's court, such payment to be made out of the general funds of the State on voucher by the commissioner, but such expense for witnesses shall not exceed one hundred dollars annually. Any person duly subpoenaed under the provisions of this section, who shall willfully neglect or refuse to attend or testify at the time and place named in the subpoena, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine not exceeding fifty dollars and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days: *Provided, however,* That no witness shall be compelled to go outside the county in which he resides to testify.

**SEC. 2472.** The commissioner of the bureau of labor statistics shall have the power to enter any factory or mill, workshop, mine, store, business house, public or private work, when the same is open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this chapter, and to examine into the methods of protection from danger to employees, and the sanitary conditions in and around such buildings and places, and make a record thereof. If the commissioner shall learn of any violation of, or neglect to comply with the law in respect to the employment of children, or in respect to fire escapes, or the safety of employees, or for the preservation of health, he shall give written notice to the owner or person in charge of such factory or building, of such offense or neglect, and if the same is not remedied within sixty days after service of such notice, such officer shall give the county attorney of the county in which such factory or building is situated, written notice of the facts, whereupon that officer shall immediately institute the proper proceedings against the person guilty of such offense or neglect. And any owner or occupant of such factory or mill, workshop, mine, store, business house, public or private work, or any agent or employee of such owner or occupant, who shall refuse to allow any officer or employee of said bureau to so enter, or who shall hinder him, or in any way deter him from collecting information, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not exceeding one hundred dollars and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days.

**SEC. 2473.** The expressions "factory," "mill," "workshop," "mine," "store," "business house," and "public or private work," as used in this chapter, shall be construed to mean any factory, mill, workshop, mine, store, business house, public or private work, where wage earners are employed for a certain stipulated compensation.

**SEC. 2474.** It shall be the duty of every owner, operator, or manager of every factory, mill, workshop, mine, store, business house, public or private work, or any other establishment where labor is employed, as herein provided, to make to the bureau, upon blanks furnished by said bureau, such reports and returns as said bureau may require for the purpose of compiling such labor statistics as are contemplated in this chapter; and the owner, operator or business manager shall make such reports or returns within sixty days from the receipt of blanks furnished by the commissioner, and shall certify under oath to the correctness of the same. Any owner, operator or manager of such factory, mill, workshop, mine, store, business house, public or private work, as herein stated, who shall neglect or refuse within thirty days after the receipt of notice given by said commissioner to furnish to the

Witnesses.

May enter premises.

Inspection.

Notice.

Hindering employees of bureau.

Definition.

Reports to bureau.

Violations.

- commissioner of labor such reports or returns as may be required by the commissioner in order to enable him to fully comply with the duties enjoined upon him by section twenty-four hundred and seventy (2470), supplement to the code, 1907, and amendments thereto and supplementary thereof, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding one hundred dollars and cost of prosecution, or imprisoned in the county jail not exceeding thirty days.
- Information confidential.** SEC. 2475. In the reports of the commissioner no use shall be made of names of individuals, firms or corporations supplying the information called for by sections twenty-four hundred and seventy and twenty-four hundred and seventy-one of this chapter, such information being deemed confidential and not for the purpose of disclosing personal affairs; and any officer or employee of the bureau of labor statistics violating this provision shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding five hundred dollars and costs of prosecution, or by imprisonment in the county jail not exceeding one year.
- Reports to be preserved.** SEC. 2476. No report or return made to said bureau in accordance with the provisions of this chapter, and no schedule, record or document gathered or returned by its officers or employees, shall be destroyed within two years of the collection or receipt thereof. At the expiration of two years all records, schedules or papers accumulating in said bureau during said period that may be considered of no value by the commissioner may be destroyed, provided the authority of the executive council be first obtained for such destruction.
- Woman factory inspector.** SEC. 2477 (as amended by chapter 209, Acts of 1921). One of the factory inspectors in the bureau of labor statistics shall be a woman, who shall, in addition to the general duties required of her, under the direction of the commissioner of the bureau of labor statistics, inspect the sanitary and general conditions under which the women and children are at work in all factories, workshops, hotels, restaurants, stores, and any other places where women and children are employed; collect statistics and make recommendations and report the same to the commissioner of labor, who shall make special reference thereto in his biennial report to the governor, and said woman factory inspector shall render any other or additional service under the direction of the labor commissioner as will tend to promote the health and general welfare of the women and children employees of this State. The appointment by the commissioner of all factory inspectors shall be subject to the approval of the executive council. Said commissioner shall be allowed the necessary postage, stationery, and office expenses. The said salaries and expenses shall be paid as the salaries and expenses of other State officers are provided for. The commissioner or any officer or employee of the bureau of labor statistics shall be allowed in addition to his salary his actual and necessary traveling expenses while in the performance of his duties, said expenses to be audited by the executive council and paid out of the general fund of the State upon a voucher verified by the commissioner or his deputy; but the total amount of the expenses for the officers and employees of said bureau other than the salaries shall not exceed four thousand dollars (\$4,000) per annum.
- [The bureau cooperates with the Federal Government in maintaining a free employment service. The organization comprises the commissioner, a deputy commissioner, three factory inspectors, and a statistician. The clerk is the official cooperating in the employment service.]
- Expenses.**

**KANSAS.**

**GENERAL STATUTES—1915.**

*Department of labor and industry.*

**SECTION 10414.** A department of labor and industry is hereby created, to be under the control of a commissioner of labor and industry, \* \* \* Department created.

**SEC. 10416.** The commissioner of labor and industry shall be ex officio State factory inspector, State mine inspector, and director of the free employment bureaus, and is hereby given full jurisdiction over and control of factory, workshop and mill inspection, mine inspection, and the free employment bureau, and all the duties now imposed by existing laws upon the commissioner of the bureau of labor and industry and State factory inspector, State mine inspector and director of the free employment bureau shall, from and after taking effect of this act, devolve upon the commissioner of labor and industry appointed as herein provided. Duties of commissioner.

**SEC. 10418.** The commissioner of labor and industry shall appoint as one of the deputy State factory inspectors a woman who, under the direction of the commissioner of labor and industry, shall have charge of the enforcement of all laws relating to the health, sanitary conditions, surroundings, hours of labor, and all other laws affecting the employment of female wage earners. Such woman shall be a qualified elector of this State, shall have had at least two years' actual experience along the line of her labors as prescribed by this act and who shall have been a resident of the State of Kansas for at least two years immediately preceding such appointment. Woman inspector.

**SEC. 10420.** All appointees made by the commissioner of labor and industry shall be under his direction and control, and shall hold their office during his pleasure. Appointees.

**SEC. 10421.** The commissioner of labor and industry, assistant commissioner, deputy factory inspectors, and deputy mine inspectors shall give bond for the faithful performance of their duties in such sum as the executive council shall determine. Bonds.

**SEC. 10423.** It shall be the duty of the commissioner to collect, assort, arrange, and present in annual reports to the governor, to be by him biennially transmitted to the legislature, statistical details relating to all departments of labor and industrial pursuits in the State; to the subjects of cooperation, strikes, and other labor difficulties; to trade-unions and other labor organizations and their effect upon labor and capital; to other matters relating to the commercial, industrial, social, educational, moral, and sanitary conditions prevailing within the State; and the exploitation of such other subjects as will tend to promote the permanent prosperity of the respective industries of the State. It shall also be the duty of the commissioner of the bureau to cause to be enforced all laws regulating the employment of children, minors, and women; all laws established for the protection of health, lives, and limbs of operators in workshops and factories, on railroads, and other places; and all laws enacted for the protection of the working classes now in force or that may hereafter be enacted. In its annual report the bureau shall also give an account of all proceedings which have been taken in accordance with the provisions of this act, or any of the other laws herein referred to, and in addition thereto such remarks, suggestions, and recommendations as the commissioner may deem necessary for the information of the legislature. Scope of reports.

**SEC. 10424.** The commissioner is hereby authorized to furnish and deliver a written or printed list of interrogatories to any Question blanks.

person, company, or the proper officer of any corporation operating within the State, and require full and complete answers to be made thereto, and returned under oath. The commissioner shall have a seal, and have power to take and preserve testimony, to issue subpoenas and administer oaths, and examine witnesses under oath in all matters relating to the duties herein required by said bureau, such testimony to be taken in some suitable place in the vicinity to which the testimony is applicable. Witnesses subpoenaed and testifying before the commissioner of said bureau shall be paid the same fees as witnesses before the district court; such payment to be made from the incidental fund of the bureau. Any person duly subpoenaed under the provisions of this act who shall willfully neglect or refuse to attend, or refuse to answer any question propounded to him concerning the subject of such examination as provided in this act, or if any person to whom a written or printed list of interrogatories has been furnished by said commissioner shall neglect or refuse to answer and return the same under oath, such person or persons shall be deemed guilty of a misdemeanor, and upon complaint of the commissioner before a court of competent jurisdiction, and upon conviction thereof, such person or persons shall be fined in a sum not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment in the county jail not exceeding ninety days, or by both such fine and imprisonment: *Provided, however,* That no witness shall be compelled to go outside of the county in which he resides to testify. In the report of said bureau no use shall be made of the names of individuals, firms, or corporations supplying the information called for by this act, unless by written permission, such information being deemed confidential and not for the purpose of disclosing personal affairs; and any officer, agent, or employee of the bureau violating this provision shall forfeit a sum not exceeding five hundred dollars, or be imprisoned not more than one year.

**Seal.**

**Witnesses.**

**Entering work places.** Sec. 10425 (as amended by chapter 228, Acts of 1917). The commissioner of labor and industry as State factory inspector, his deputies, assistants, and special agents, shall have power to enter any factory or mill, workshop, private works, or State institution having shops or factories, mercantile establishment, laundry, or any other place of business where and when labor is being performed, when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this act, and to examine into the methods of protection from danger to employees and the sanitary conditions in and around such buildings and places and to keep a record thereof of such inspection. \* \* \*

**Duty of officers.** Sec. 10427. All State, county, township, and city officers are hereby directed to furnish said commissioner, upon his request, such statistical or other information contemplated by this act as shall be in their possession as such officers.

**Annual reports.** Sec. 10428. The annual reports of the bureau of labor and industry provided for in this act shall be printed in the same manner and under the same regulations as the report of the executive officers of the State: *Provided,* Not less than three thousand nor more than ten thousand copies of the report shall be printed and distributed annually, as the judgment of the commissioner may deem best: *And provided further,* That said report shall not contain more than six hundred pages. The blanks and other stationery required in accordance with the provisions of this act shall be furnished by the secretary of state upon the requisition of the commissioner of said bureau, and paid for from the printing fund of the State.

**Same.** Sec. 10430. The commissioner of labor is hereby authorized and required to publish annually a report of his department, and said report shall contain the information and matter required by law for the full period since his last report.

ACTS OF 1921.

**CHAPTER 262.—*Court of industrial relations—Duties of commissioner of labor and industry.***

**SECTION 1.** The jurisdiction conferred by law upon the commissioner of labor and industry of the State of Kansas is hereby conferred upon the court of industrial relations, and said office of commissioner of labor and industry is hereby abolished. Jurisdiction transferred.

**SEC. 2.** All the laws relating to the powers, authority, jurisdiction and duties of the commissioner of labor and industry of this State are hereby adopted, and all the duties now imposed by existing laws upon the commissioner of labor and industry and State factory inspector, State mine inspector, and director of the free employment bureau shall from and after the taking effect of this act devolve upon the court of industrial relations. Office abolished.  
Duties devolve on court.

**SEC. 3.** The court of industrial relations may employ such deputy factory inspectors, deputy mine inspectors, and clerical force of said department of labor and industry as are necessary in carrying out the provisions of this act. Employees.

Approved February 28, 1921.

**CHAPTER 263.—*Court of industrial relations—Employment of women.***

**SECTION 1.** The jurisdiction conferred by law upon the industrial welfare commission of the State of Kansas is hereby conferred upon the court of industrial relations, and said industrial welfare commission and all boards organized thereunder are hereby abolished: *Provided*, That all orders and rules heretofore made by the industrial welfare commission and now in force shall continue in force until the same may be changed or repealed by the court of industrial relations. Commission abolished.

**SEC. 2.** All laws relating to the powers, authority, jurisdiction, and duties of the industrial welfare commission of this State are hereby adopted except as amended and repealed in this act; and all the duties imposed upon the industrial welfare commission or any board thereof shall from and after the taking effect of this act devolve upon the court of industrial relations. Jurisdiction transferred.

Approved March 8, 1921.

[The appointments provided for under the foregoing laws, excluding the three judges of the court of industrial relations and the reporter, are: One chief clerk, two stenographer-clerks and one statistical clerk; two factory inspectors (men); six superintendents of free employment offices, and two assistant superintendents; one mine inspector, five deputy inspectors, three superintendents of mine rescue stations, one clerk, and one stenographer, mine inspection department; one director of women's work, one woman inspector, and one stenographer.]

**KENTUCKY.**

**STATUTES—1915.**

*Bureau of agriculture, labor, and statistics.*

**Bureau estab-  
lished.**

**SECTION 31.** A bureau of agriculture, labor, and statistics is established, and shall be under the management of an officer, who shall be known as the commissioner of agriculture, labor, and statistics. In one thousand eight hundred and ninety-two there shall be appointed by the governor, by and with the advice and consent of the senate, a commissioner, who shall hold his office until the first Monday in January, one thousand eight hundred and ninety-six, and until his successor has qualified, unless sooner removed by the governor, who shall also have power to fill a vacancy in the office occurring from any cause. At the general election held in November, one thousand eight hundred and ninety-five, and every four years thereafter, there shall be elected a commissioner, who shall enter upon the discharge of his duties on the first Monday in January after his election, and hold his office for four years, and until his successor is elected and qualified.

**Duties of com-  
missioner.**

**SEC. 32.** The commissioner shall keep his office at the seat of government, and devote his entire time and attention to the duties of his office. Before entering upon his duties he shall take the oath of office and execute bond to the Commonwealth, with good sureties, worth at the time, jointly or severally, twenty-five thousand dollars, to be approved by the governor, for the faithful discharge of the duties of his office; and shall receive an annual salary of twenty-five hundred dollars, payable at the same time the salary of the governor is paid.

**Purpose of bu-  
reau.**

**SEC. 33.** The efforts of the bureau shall be directed to the promotion of agriculture, horticulture, manufactures, and to matters relating to labor and statistics; and the commissioner shall promote and encourage, as far as practicable, the organization of agricultural and horticultural societies and other associations in the several counties, and ascertain the agricultural, horticultural, mechanical, commercial, and educational condition of every county, giving, in detail, the quantity and quality of land under cultivation; the kinds, amounts, and value of the annual field crops; the annual production of orchards, gardens, dairies, and mines; the quantity and value of domestic manufactures; the kinds, value, and increase of live stock; the annual products of mechanical industry and skill; the character of labor employed in mines, factories, and the cultivation of the soil, and the prices paid therefor; the value of exports and imports; the number of miles of railroads, turnpikes, navigable streams, and post offices, and names of same, in each county; how and by whom turnpikes and other public roads are operated and kept in repair; the name, location, and population of cities, towns, and villages; the number and value of schoolhouses and churches; the names, capital, and purposes of charitable institutions, together with such other vital, social, physical, and political statistics as he may deem proper and expedient.

**Labor inspec-  
tors.**

**SEC. 33A. 1.** In the bureau of agriculture, labor, and statistics there shall be appointed by the commissioner, with the approval of the governor, two labor inspectors and two assistant labor inspectors. One of said inspectors and one assistant inspector shall be men having practical knowledge of factories, machine, or workshops, and the other inspector and assistant inspector shall be women, and said inspectors and assistants shall be under the supervision of the commissioner.

2. It shall be the duty of the male labor inspectors to visit and inspect the various factories, machine and workshops in this State; and it shall be the duty of the female labor inspectors to visit and inspect the various factories, laundries, workshops, stores, or mercantile, manufacturing, or mechanical establishments or hotels, restaurants, telephone exchanges, or telegraph offices in which women are employed. It shall be the duty of all such inspectors, under the direction of the commissioner, to report to the Commonwealth's attorney and county attorney any violation occurring in said county of any law or laws enacted for the protection of women, children, and other persons employed in such county. Duties.

3. It shall be the duty of every owner, manager, and agent of any factory, machine or workshop where male laborers are employed, and of any factory, workshop, laundry, store, or mercantile, manufacturing, or mechanical establishment, or hotel, restaurant, telephone exchange, or telegraph office where women are employed, to admit the labor inspector during reasonable hours and while the same is open, for the purpose of making an inspection of same, and any person who shall refuse to admit such inspectors in violation of the provisions of this section shall be fined not to exceed one hundred (\$100) dollars, or to be imprisoned in jail not more than six months, or both so fined and imprisoned in the discretion of the jury. Inspectors to be admitted.

4. It shall further be the duty of the labor inspectors to collect statistics concerning labor wherever and however employed in this State and report the same to the commissioner at such times as he may direct, and it shall be the duty of the owner, officers, manager, or agent of any factory, machine or workshop where male laborers are employed, and of any factory, workshop, laundry, store, or mercantile, manufacturing, or mechanical establishment, or hotel, restaurant, telephone exchange, or telegraph office where females are employed, to furnish upon demand of the labor inspector statistical information concerning the number and sex of persons employed, the exact amount of compensation paid to each of such laborers, or women, the amount and kind of labor or work performed by each of said men and women so employed, and such other reasonable information as may be required by the commissioner: *Provided*, That no person shall be required to furnish the labor inspectors information touching matters not contemplated in the provisions of this act: *And provided further*, That no labor inspector for the purpose of gathering statistics shall interfere or detain from work any laborer, or any woman employee while on duty during working hours. Statistics.

5. The commissioner shall make a separate report biennially to the legislature on or before the second Monday in January, on the subject of labor, and include such recommendations as may be deemed proper, together with an account of the work done by the labor inspectors, and the expenses incurred by them. The number of copies of such reports shall not be less than one thousand nor more than three thousand, in the discretion of the commissioner. Report on labor.

7. Neither the labor inspectors nor assistant labor inspectors shall take any part, interfere or become involved in any strike or similar labor difficulty other than the performance of his or her duty as prescribed by law, upon penalty of forfeiting his or her office. Not to interfere with strikes.

8. The labor inspectors and assistant labor inspectors shall receive annual salaries of twelve hundred dollars and one thousand dollars, respectively, and their actual necessary traveling expenses while in the performance of their duties to be paid out of the fund appropriated for the bureau. Said labor inspectors shall make reports of expenses as directed by the commissioner, who shall approve the same when proper and certify same for payment as other expenses of said bureau are now allowed and paid. Salaries.

9. Nothing in this act shall be construed to conflict with the powers and duties of the State mine inspectors as now prescribed Act construed.

- by law. The words factory, machine and workshop, shall not be construed to mean a newspaper or printing office.
- Information to be furnished.** SEC. 34. The auditor of public accounts, assessors of the several counties, and all other officers of the State and counties, shall furnish the commissioner with such information within their power as he may require in regard to the matters connected with the bureau; and as a further means of procuring information, the commissioner shall put himself in communication with the different agricultural, horticultural, and labor societies, manufacturing and mining companies, and such other organizations or persons in or out of the State, as he may deem proper.
- Reports.** SEC. 36 (as amended by chapter 95, Acts of 1916). He shall before the assembling of each regular session of the general assembly compile a report giving a general review of the agricultural, horticultural, mineral, and industrial resources of the State with brief notices of each county, the character of labor generally employed in mines, factories, and the cultivation of the soil and the price paid therefor, and such other information as he is required to gather; he shall have a sufficient number, not exceeding five thousand, printed for the use of the general assembly and for general distribution. \* \* \*
- Clerk.** SEC. 41. The commissioner is allowed a clerk or clerks, to be selected by himself, the salary of whom shall not exceed, in the aggregate, twelve hundred dollars per annum.
- Appropriation.** SEC. 42. The sum of thirteen thousand dollars is hereby annually appropriated, out of any funds in the hands of the treasurer not otherwise appropriated, for the support and maintenance of this bureau. Said amount shall cover all expenses of every kind growing out of this act, including commissioner's salary and clerk's pay, and all expenses connected with and growing out of this department of the State government.
- [The organization of the bureau, so far as it concerns labor, comprises the commissioner, a statistician, immigration clerk, labor inspector and assistant (male), and a labor inspector and assistant (female).]

# LOUISIANA.

## ACTS OF 1908.

### *No. 155.—Bureau of labor and statistics.*

SECTION 1 (as amended by No. 186, Acts of 1914). The governor shall, by and with the advice and consent of the senate, appoint some suitable person who shall be designated commissioner of labor and said commissioner of labor shall appoint with the approval of the governor two suitable persons who shall be designated assistant commissioners of labor, said assistant commissioners shall be residents of different sections of the State from each other and from the commissioner of labor. The headquarters of such commissioner and assistant commissioners shall be fixed at such place as the governor shall designate and they shall hold their offices for a term of four (4) years. The assistant commissioners of labor shall perform their duties under the direction and orders of the commissioner of labor.

Commissioner to be appointed.

Assistant commissioners.

SEC. 2 (as amended by No. 186, Acts of 1914). The duties of said commissioner and said assistant commissioners shall be to visit and inspect manufacturing establishments, workshops, mills, mercantile establishments, factories and other places where industrial work is being done for the purpose of enforcing the laws regulating or dealing with the conditions of employment of labor of any kind, and to prosecute all persons, firms, associations or corporations violating the labor laws of the State. It shall be the duty of such commissioner and assistant commissioners to collect, assort, systematize, and present annual reports to the governor to be by him biennially transmitted to the General Assembly, within ten days after the convening thereof, statistical data relating to all departments of labor in the State, especially such data as relate to the commercial, industrial, social, educational and sanitary conditions of the laboring people and to the permanent prosperity of the productive industries of the State. It shall also be the duty of said commissioner and assistant commissioners and they shall have authority to inquire into the causes of strikes, lockouts, or other disturbances of the relation of employers and employees and to report to the governor at as early a date as possible thereafter the result of such inquiry.

Duties.

SEC. 3 (as amended by No. 186, Acts of 1914). The commissioner and his assistant commissioners shall have power to take and preserve evidence, examine witnesses under oath and administer same, and in the discharge of his duties may enter any public institution of the State, and at reasonable hours any factory, mill, workshop, mercantile establishment or other places where labor may be employed. In the city of New Orleans the mayor shall appoint a factory inspector who may be either male or female. The commissioner and each assistant commissioner shall have power to investigate all cases where violations of the laws pertaining to the conditions of employment of labor is complained of; and it is hereby made the duty of said commissioner and assistant commissioners to order the criminal prosecution in any competent court of any person, firm, association or corporation, acting in violation of any laws of this State, regulating the conditions of the employment of labor.

Powers.

Factory inspector.

SEC. 4. All State, parochial, municipal and town officers are hereby directed to furnish said commissioner, upon his request, all statistical information in reference to labor and industries, which may be in their possession as such officers.

Duty of officers.

Hindering commissioner.

SEC. 5 (as amended by No. 186, Acts of 1914). Any person who shall willfully impede or prevent the commissioner or assistant commissioners in the full and free performance of his or their duties shall be deemed guilty of a misdemeanor and upon conviction of the same shall be fined not less than ten (\$10) dollars, nor more than fifty (\$50) dollars or be imprisoned not less than five (5) days or more than twenty-five (25) days in the parish jail, or both, at the discretion of the court.

Salaries.

SEC. 6 (as amended by No. 144, Acts of 1920). The commissioner shall receive a salary of three thousand (\$3,000) dollars per annum, and each assistant commissioner a salary of eighteen hundred (\$1,800) dollars per annum. The commissioner shall employ a secretary who shall receive a salary of twelve hundred (\$1,200) dollars per annum. The commissioner and assistant commissioners shall be allowed not to exceed six hundred (\$600) dollars per annum for office maintenance and not to exceed twenty-five hundred (\$2,500) dollars per annum for traveling and all other necessary expenses incurred in the performance of their duties. All salaries and expenses shall be payable monthly out of the general fund upon the warrant of the commissioner.

Expenses.

[The organization of the bureau consists of the commissioner, two assistant commissioners and a secretary.]

MAINE.

REVISED STATUTES—1916.

CHAPTER 49.—*Department of labor and industry.*

SECTION 9 (as amended by chapter 231, Acts of 1919). A State department of labor and industry shall be maintained under the direction of an officer whose title shall be commissioner of labor and industry and State factory inspector. He shall be appointed by the governor, with the advice and consent of the council, for a term of three years, and shall hold office until his successor is appointed and qualified. He shall have an office in the State capitol. He shall appoint a deputy who shall be clerk of the department, and deputy State factory inspector, and shall hold office during the pleasure of the commissioner; he shall also appoint a stenographer for the department and a woman factory inspector, and may employ special agents and such other assistants as may be required for the work of the department. The special agents and other assistants shall work under the supervision and direction of the commissioner and shall be paid for their services such compensation as he may deem proper, not exceeding five dollars a day and necessary traveling expenses. All expenses of the department shall be audited by the State auditor and shall be payable upon proper vouchers certified by the commissioner.

Department  
continued.  
Commissioner.

SEC. 10. The department shall collect, assort, and arrange statistical details relating to all departments of labor and industrial pursuits in the State; to trade-unions and other labor organizations and their effect upon labor and capital; to the number and character of industrial accidents and their effect upon the injured, their dependent relatives, and upon the general public; to other matters relating to the commercial, industrial, social, educational, moral, and sanitary conditions prevailing within the State, including the names of firms, companies, or corporations, where located, the kind of goods produced or manufactured, the time operated each year, the number of employees, classified according to age and sex, and the daily and average wages paid each employee, and the exploitation of such other subjects as will tend to promote the permanent prosperity of the industries of the State. The commissioner of labor and industry shall cause to be enforced all laws regulating the employment of minors and women; all laws established for the protection of health, lives, and limbs of operators in workshops and factories, on railroads, and in other places; all laws regulating the payment of wages, and all laws enacted for the protection of the working classes. He shall, on or before the first day of January, biennially, report to the governor, and may make such suggestions and recommendations as he may deem necessary for the information of the legislature. He may from time to time cause to be printed and distributed bulletins upon any subject that shall be of public interest and benefit to the State.

Duties.

SEC. 11. The commissioner may furnish a written or printed list of interrogatories for the purpose of gathering such facts and statistics as are contemplated herein, to any person or the proper officer of any corporation operating within the State, and may require full and complete answers thereto under oath; the com-

Question  
blank.

Seal.  
Witnesses.

missioner shall have a seal, and may take and preserve testimony, issue subpoenas, administer oaths, and examine witnesses under oath in all matters relating to the duties herein required of said department of labor and industry; such testimony shall be taken in some suitable place in the vicinity to which the testimony is applicable. Witnesses summoned and testifying before the commissioner shall be paid, from any funds at the disposal of the department, the same fees as witnesses before the supreme judicial court. Whoever, being duly summoned under the provisions of this section, shall willfully neglect or refuse to attend, or refuse to answer any question propounded to him concerning the subject of such examination as provided in this section, or whoever, being furnished by the commissioner with a written or printed list of interrogatories, shall neglect or refuse to answer and return the same under oath, shall be punished by a fine of not less than twenty-five nor more than one hundred dollars, or by imprisonment in the county jail not exceeding thirty days, or by both such fine and imprisonment: *Provided, however,* That no witness shall be compelled to go outside of the county in which he resides to testify. In the report of said department no use shall be made of the names of individuals, firms, or corporations supplying the information called for by this section unless by written permission, such information being confidential and not for the purpose of disclosing personal affairs.

Entering work  
places.

SEC. 12. The commissioner, as State factory inspector, and any authorized agent of the department of labor and industry, may enter any factory or mill, workshop, private works, or State institutions which have shops or factories when the same are open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this section and the two preceding sections, and may examine into the methods of protection from danger to employees and the sanitary conditions in and around such buildings and places, and may make a record of such inspection. \* \* \*

Duty of officers.

SEC. 14. All State, county, city, and town officers are hereby directed to furnish the commissioner of labor and industry, upon his request, such statistical or other information contemplated by sections ten, eleven, and twelve as shall be in their possession as such officers.

[The personnel of the department consists of the commissioner of labor, a deputy commissioner, a woman factory inspector, and a special agent who is also a factory inspector.]

## MARYLAND.

### ACTS OF 1922.

#### CHAPTER 20, PART II, ARTICLE XV.—*Commissioner of labor and statistics.*

SECTION 2. \* \* \* 1. The office of commissioner of labor and statistics is hereby created. The term of office of said commissioner shall be two years, and until his successor shall be appointed and shall have qualified, said term beginning on the first Monday of May succeeding his appointment, except that the commissioner first appointed under this act shall be appointed on the taking effect of this act and hold office until the first Monday of May, 1924, and until his successor shall qualify. Any vacancy shall be filled by the governor for the unexpired term. The governor may at any time remove the commissioner from office for inefficiency, neglect of duty, or malfeasance in office. The salary of the commissioner shall be \$3,000 per annum. The said commissioner shall be allowed for actual and necessary expenses incurred in the discharge of his duties.

Appointment,  
etc., of commis-  
sioner.

The commissioner of labor and statistics is authorized and empowered to appoint and employ such deputies, inspectors, assistants, and employees of every kind as may be necessary for the performance of the duties now or hereafter imposed upon him by this or any other law: *Provided, however,* That such appointments and employments, and the compensation to be allowed therefor, shall in each and every case be subject to the approval of the governor.

Staff.

SEC. 3. On the taking effect of this act, all the rights, powers, duties, obligations, and functions of the State board of labor and statistics, under any provisions of law, including all the powers and duties transferred to and imposed and devolved upon said board by the acts of 1916, chapter 406, shall be transferred to and thereafter be exercised and performed by the said commissioner of labor and statistics, who shall be the lawful successor of the said State board of labor and statistics to the same extent as if the said commissioner had been named in said provisions of law as the official upon whom the said rights, powers, duties, obligations, and functions were conferred.

Transfer of  
powers.

[Chapter 406, Acts of 1916, referred to above, amends the annotated code as follows:]

#### ANNOTATED CODE.

##### ARTICLE 89.—*State board of labor and statistics.*

SECTION 2 (as amended by chapter 406, Acts of 1916). It shall be the duty of the said State board of labor and statistics:

Duties.

1st. To collect statistics concerning and examine into the condition of labor in this State, with especial reference to wages, and the causes of strikes and disagreements between employers and employees.

2d. To collect information in regard to the agricultural conditions and products of the several counties of the State, the acreage under cultivation and planted to the various crops, the character and price of lands, the live stock, et cetera, and all other matters pertaining to agricultural pursuits, which may be of general interest and calculated to attract immigration to the State.

3d. To collect information in regard to the mineral products of the State, the output of mines, quarries, and so forth, and the manufacturing industries.

4th. To collect information in regard to railroads and other transportation companies, shipping, and commerce.

5th. To keep a bureau of general information, and to this end all officers and institutions of this State, including officers of the General Assembly, are directed to transmit to the State board of labor and statistics all reports, as soon as published.

6th. To classify and arrange the information and data so obtained, and as soon as practicable after entering upon the duties of its office, publish the same in substantial book form and annually thereafter revise and republish the same.

**Appropriations.** SEC. 14 (as amended by chapter 406, Acts of 1916). The sum of thirty-five thousand dollars (\$35,000) annually for the fiscal years ending September 30, 1917, and September 30, 1918, respectively, or so much thereof as may be necessary annually for the maintenance of the State board of labor and statistics, and the performance of the duties placed upon it by existing law or laws, or by any law or laws passed at the present session of the General Assembly of Maryland, and by all laws hereafter to be passed and the payment of the salaries and expenses of said board and its officers, deputies, assistants, inspectors and employees, is hereby appropriated, and shall be payable on the order or orders of the said board from time to time, as in law provided; and the comptroller shall draw his warrant upon the treasurer of Maryland, as in law provided, for the said appropriation.

**Violations.** SEC. 15 (added by chapter 406, Acts of 1916). All violations of any of the provisions of any of the laws the enforcement of which is by this act transferred to the State board of labor and statistics, which may be committed before this act takes effect, shall be prosecuted and punished as if this act had not been passed.

All violations of any of the provisions of such laws which may be committed after this act takes effect, shall be prosecuted and punished in accordance with the terms thereof; and whenever such laws confer any rights or privileges of any kind upon any of the boards, commissions, bureaus, inspectors, or officials whose powers and duties are by this act transferred to the State board of labor and statistics, and whenever such laws impose any duties or obligations of any kind upon any corporations, firms, or individuals with respect to any of the said boards, commissions, bureaus, inspectors, or officials, then all violations of such provisions of such laws shall be prosecuted and punished as if the State board of labor and statistics had been named in such laws as the body having such rights or privileges or to which such duties or obligations were owed.

[Other sections of this act confer upon the board (now the commission) the duty of establishing and maintaining public employment offices, of promoting the mediation, conciliation, and arbitration of labor disputes, of administering the laws relative to the employment of women and children, and of factory inspection.]

[The appropriation act of 1922 provides for the commissioner, two medical examiners and a psychiatrist, ten inspectors, an assistant officer, two boiler inspectors, a mine inspector, and seven clerks and stenographers.]

# MASSACHUSETTS.

## GENERAL LAWS—1921.

### CHAPTER 23.—*Department of labor and industries.*

SECTION 1 (as amended by chapter 306, Acts of 1921). There shall be a department of labor and industries, under the supervision and control of a commissioner of labor and industries, in this chapter called the commissioner, an assistant commissioner, who shall be a woman, and three associate commissioners, one of whom shall be a representative of labor and one a representative of employers of labor.

Department established.  
Commissioner, etc.

SEC. 2. Upon the expiration of the term of office of a commissioner, an assistant commissioner, or an associate commissioner, his successor shall be appointed for three years by the governor, with the advice and consent of the council. The commissioner shall receive such salary not exceeding seventy-five hundred dollars, and the assistant commissioner and associate commissioners such salaries, not exceeding four thousand dollars each, as the governor and council determine.

Term.

Salaries.

SEC. 3 (as amended by chapter 306, Acts of 1921). The commissioner shall be the executive and administrative head of the department. He shall have charge of the administration and enforcement of all laws, rules, and regulations which it is the duty of the department to administer and enforce, and shall direct all inspections and investigations except as otherwise provided. He shall organize in the department a division of standards and such other divisions as he may from time to time determine, and may assign the officers and employees of the department thereto. He shall prepare for the consideration of the assistant commissioner and the associate commissioners rules and regulations for the conduct of the department and all other rules and regulations which the department is authorized by law to make, and they shall, except as otherwise provided, take effect when approved by the associate commissioners and the assistant commissioner, or upon such date as they determine. The commissioner may designate the assistant commissioner or an associate commissioner to discharge the duties of the commissioner during his absence or disability.

Duties of commissioner.

SEC. 4 (as amended by chapter 196, Acts of 1922). The commissioner, assistant commissioner, and associate commissioners may, with the approval of the governor and council, appoint, and fix the salaries of not more than five directors, and may, with like approval, remove them. One of them, to be known as the director of standards, shall have charge of the division of standards, and each of the others shall be assigned to take charge of a division. The commissioner may employ, for periods not exceeding ninety days, such experts as may be necessary to assist the department in the performance of any duty imposed upon it by law, and such employment shall be exempt from chapter thirty-one [relating to the civil service]. Except as otherwise provided in section eleven, the commissioner may employ and remove such inspectors, investigators, clerks, and other assistants as the work of the department may require, and fix their compensation. Four inspectors shall be men who, before their employment as such, have had at least three years' experience as building construction workmen. The commissioner may require that certain inspectors in the department, not more than seven in number, shall be persons qualified by training and experience in matters relating to health and sanitation. \* \* \*

Directors.

- To give whole time.** SEC. 5 (as amended by chapter 306, Acts of 1921). All directors, inspectors, and other permanent employees of the department shall devote their whole time to the affairs of the department; and all directors and inspectors and such other employees as may be designated by the commissioner shall, before entering upon their duties, be sworn to the faithful performance thereof. The number of inspectors heretofore authorized by law may be increased only with the approval of the governor and council. The commissioner, assistant commissioner, and associate commissioners shall determine from time to time how many of the inspectors employed shall be women.
- Assistant commissioner.** SEC. 6. In all matters relating specifically to women and minors the assistant commissioner shall have and exercise such duties and authority as may be prescribed by the commissioner, with the approval of the associate commissioners.
- Associate commissioners.** SEC. 7. The associate commissioners shall constitute the board of conciliation and arbitration, and shall have the powers and perform the duties given them by chapter one hundred and fifty relative to conciliation and arbitration of industrial disputes, and chapter one hundred and fifty-one relative to the minimum wage. The board shall have assigned to it such assistants from the officers and employees of the department as the commissioner and the board from time to time determine.

**CHAPTER 149.—Duties and powers of department of labor and industries.**

- Law enforcement.** SECTION 2. The department shall, except as otherwise specifically provided, enforce the provisions of this chapter and shall have all necessary powers therefor.
- Investigations.** SEC. 5. The department may investigate conditions existing in any line of industry, and such investigations may be extended outside of the Commonwealth to procure information to promote industrial development or to improve industrial conditions. It shall receive all complaints concerning conditions existing in any industry carried on in the Commonwealth, or concerning alleged violations of any laws enforced under its direction, and shall thereupon make or direct all needful and appropriate investigations and prosecutions.
- Safety.** SEC. 6. It shall investigate from time to time employments and places of employment, and determine what suitable safety devices or other reasonable means or requirements for the prevention of accidents shall be adopted or followed in any or all such employments or places of employment; and also shall determine what suitable devices or other reasonable means or requirements for the prevention of industrial or occupational diseases shall be adopted or followed in any or all such employments or places of employment; and shall make reasonable rules, regulations, and orders applicable to either employers or employees or both for the prevention of accidents and the prevention of industrial or occupational diseases.
- Rules, etc.**
- Committees.** SEC. 7 (as amended by chapter 306, Acts of 1921). The commissioner, assistant commissioner, and associate commissioners of the department may appoint committees, on which employers and employees shall be represented, to make such investigations and recommend rules and regulations.
- Hearings.** SEC. 8 (as amended by chapter 306, Acts of 1921). Before adopting any rule or regulation under section six, a public hearing shall be given, and not less than ten days before the hearing a notice thereof shall be published in at least three newspapers, of which one shall be published in Boston. Such rules or regulations shall, when approved by the associate commissioners and the assistant commissioner, be published in like manner and, subject to section thirty-seven of chapter thirty, shall take effect thirty days after such publication or at such later time as the associate commissioners and assistant commissioner may fix. Before adopting any order a hearing shall be given thereon, of which a notice of

not less than ten days shall be given to the persons affected thereby.

SEC. 9. Any person affected by an order, rule, or regulation of the department may appeal to the associate commissioners within such time as they by vote may fix, but not less than ten days after notice of the order or the taking effect of the rules or regulations. The associate commissioners shall thereupon give a hearing, and thereafter may amend, suspend, or revoke such order, rule, or regulation. Pending the hearing the commissioner may suspend the order, rule, or regulation appealed from. Any persons aggrieved by an order approved by the associate commissioners may appeal to the superior court within fifteen days after the date of approval. The superior court may annul the order if it is found to exceed the authority of the department, and upon petition of the commissioner may enforce all valid orders issued by the department. This section shall not deprive any person of any other lawful remedy.

Appeals.

SEC. 14. The commissioner shall make an annual report, including the reports required by sections one hundred and sixty and one hundred and seventy of this chapter, section ten of chapter one hundred and fifty, section fifteen of chapter one hundred and fifty-one, and section fifty-seven of chapter ninety-eight.

Reports.

SEC. 160. The department may establish and maintain in such cities as may be selected by it after investigation, with the approval of the governor and council, employment offices for the purpose of bringing together those seeking employment and those desiring to employ, and may maintain such offices now established. The commissioner shall make an annual report as to free employment offices.

Employment service.

SEC. 170. The commissioner shall make an annual report of the acts of the department relative to statistics. He shall prepare annually for distribution as public documents a report on the statistics of labor which shall embody statistical and other information relating especially to labor affairs in the Commonwealth, and a report on the statistics of manufactures to be gathered as provided in the following section. The State secretary shall print for the use of the department and other purposes such numbers of these reports as the supervisor of administration may designate. The commissioner may publish, at such intervals as he deems expedient, bulletins or special reports relative to industrial or economic matters.

Statistical reports.

[The organization of the department comprises a commissioner, an assistant commissioner, three associate commissioners, and a director for each division, three in number—industrial safety, standards and statistics. The total number of permanent employees of the department is about 160.]

MICHIGAN.

ACTS OF 1921.

ACT No. 43.—*Department of labor and industry.*

Department  
created.

SECTION 1. There is hereby created a department to be known and designated as the department of labor and industry of the State of Michigan, which shall possess the powers and perform the duties hereby granted and imposed. The administration of said powers and duties shall be vested in a commission of three members appointed by the governor with the advice and consent of the senate. Each member of the commission shall devote his entire time in the performance of the duties of his office. Each member of said commission shall qualify by taking and filing the constitutional oath of office and shall hold office until the appointment and qualification of his successor. Any vacancy shall be filled in the same manner as appointments are made in the first instance. The chairman of such commission shall be appointed by the governor, and shall have general charge of and supervision over the administrative affairs of such department in so far as relates to the division and assignment of the work thereof. It shall be the duty of the board of State auditors to provide suitable offices at the city of Lansing for the department hereby created.

Rules.

SEC. 2. The commission may adopt rules and regulations not inconsistent with law for the governing of its own organization and procedure. It shall also adopt a suitable seal, of which all the courts shall take judicial notice, and all orders and official proceedings shall be authenticated thereby. The commission shall have power to appoint such deputies, assistants, and employees as may be necessary for the performance of the duties hereby imposed, the compensation to be paid thereto and the number of such deputies, assistants, and employees to be subject to the approval of the State administrative board. Each of such deputies shall take and file the constitutional oath of office and shall possess all of the power and authority conferred by act number ten of the Public Acts of Michigan, of the first extra session of nineteen hundred twelve, and the amendments thereto, upon the deputy members of the industrial accident board, and by act number two hundred eighty-five of the Public Acts of Michigan of nineteen hundred nine, and amendments thereto, upon the deputy commissioner of labor. Each member of the commission shall receive an annual salary of four thousand dollars; and all officers and employees of the department shall be entitled to their necessary expenses incurred while traveling in performance of any of the duties hereby imposed. All salaries and expenses hereby authorized shall be paid in the same manner as the salaries and expenses of other State officers and employees are paid.

Staff.

Salaries.

Powers.

SEC. 3. The powers and duties now vested by law in the industrial accident board, the department of labor, the State labor commissioner, the board of boiler rules, created by act number one hundred seventy-four of the Public Acts of nineteen hundred seventeen, and the industrial relations commission are hereby transferred to and vested in the department of labor and industry hereby created. Immediately on the taking effect of this act the boards, departments, commission, and officers whose powers and duties are hereby transferred shall be abolished, and

whenever reference thereto is made in any law of the State reference shall be deemed to be intended to be made to the department of labor and industry. Any hearing or other proceeding pending before any such department, board, commission, or officers shall not be abated but shall be deemed to be transferred to the commission provided for in section one of this act, and shall be conducted and determined thereby in accordance with the provisions of the law governing such hearing or proceeding.

SEC. 4. On or before the first day of January of each year in which a regular session of the legislature is held, the commission shall make and file with the governor a report covering the preceding biennial period, covering the activities of the department, and the receipts and disbursements made thereby. Said report shall be accompanied by the recommendations of the commission with reference to such changes in the laws applying to or affecting industrial and labor conditions as the said commission may deem expedient. Said report shall, if so ordered by the board of State auditors, be printed by the board of State auditors and shall be distributed in such manner and to such persons, organizations, institutions, and officials as the board of State auditors may direct.

Reports.

SEC. 5. This act shall take effect on the first day of July, nineteen hundred twenty-one; and all acts or parts of acts in any way contravening the provisions of this act shall be deemed to be superseded and repealed as of said date. All records, files, and other papers belonging to any of the departments, boards, commissions, and offices the duties of which are hereby transferred to the department of labor and industry shall be turned over to said department and shall be continued as a part of the records and files thereof.

Act in effect.

Approved April 12, 1921.

#### COMPILED LAWS—1915.

##### *Department of Labor.*

[This office was created by No. 285, Acts of 1909, and is superseded by the department of labor and industry created by No. 43, Acts of 1921, above. The provisions of the act of 1909 remain valid as setting forth the purpose and methods of the department, and are as follows, with the sections numbered as in the compiled laws:]

SECTION 5323 (as amended by No. 206, Acts of 1923). It shall be the duty of the commission to collect in the manner herein provided, assort, systematize, print, and present to the governor, on or before the first day of January of each year in which a regular session of the legislature is held, statistical details relating to all departments of labor in this State, including the penal institutions thereof, particularly concerning the hours of labor, the number of employees and sex thereof, and the daily wages earned, the condition of all manufacturing establishments, hotels, stores, and workshops and premises where labor is employed, except farms and households, with such other matter relating to the industrial, social, educational, moral, and sanitary conditions of the laboring classes and the productive industries of the State, including the names of firms, companies, or corporations, where located, the kind of goods produced or manufactured, the time operated each year, the number of employees, male or female, the number engaged in clerical work and the number engaged in manual labor, with a classification of the number of each sex engaged in each occupation and the average daily wages paid each: *Provided*, That the commission or any one connected with

Scope of reports.

its office shall not publish, make public, nor give to any individual or to the public the individual statistics obtained from any manufacturing establishment, but all such statistics may be published in connection with other similar statistics and given to the public in aggregates and averages: *Provided further*, That nothing in this section shall be construed to prohibit other State departments from taking transcripts of such individual statistics for statistical and classification purposes only.

**Witnesses.**

SEC. 5324. Such department or any member thereof shall have full power to examine witnesses on oath, compel the attendance of witnesses, the giving of testimony and the production of papers while acting in any part of this State, and witnesses may be summoned by such department or any member thereof, by its process in the same manner, and paid the same fees as are allowed to witnesses attending in the circuit court of any county. Any person duly subpoenaed under the provisions of this section, who shall willfully neglect to attend or testify at the place named in the subpoena served for such purpose, shall be guilty of a misdemeanor, and on conviction before any court of competent jurisdiction may be punished by a fine not exceeding fifty dollars or imprisonment in the county jail not exceeding thirty days, or both such fine and imprisonment in the discretion of the court: *Provided*, That no witness shall be compelled to go outside of the county in which he or she resides to testify.

**Officials to furnish information.**

SEC. 5326. Said department may collect the information called for in section two of this act [sec. 5323], or such information as shall by the commissioner be considered essential to perfect the work of the department, from the several State, county, city, village, and township officers, and from the officers of prisons, penal and reformatory institutions, or by means of special canvassers under the direction of the commissioner, and it shall be the duty of all such officers to furnish upon the written or printed request of the commissioner such information as shall be considered necessary for the department upon blanks furnished by said department.

**Township, etc., officers.**

SEC. 5327. It shall be the duty of the several supervisors of the townships, and the supervisor and assessor of the wards of cities in this State, at the time of assessing the property thereof, to obtain the facts and information determined upon by said department, as provided in section five of this act [sec. 5326], in accordance with the terms, conditions, and requirements of said blanks, and to return said blanks properly filled and duly certified to by such officer without delay to the commissioner of labor at Lansing.

**Access to factories, etc.**

SEC. 5328. The commissioner, his deputy, and deputy factory inspectors are authorized to enter any factory, workshop, hotel, store, or other place where labor is employed when open or in operation, for the purpose of gathering facts and statistics relating to hours of labor, wages, industrial, economic, and sanitary conditions or matters; and if any employer or his or her agent or agents shall refuse to allow the officers of said department to so enter; or shall refuse to give such information when requested by said commissioner or deputy factory inspector, then such employer or his or her agent or agents shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be punished by a fine not to exceed one hundred dollars or by imprisonment for not more than ninety days or both such fine and imprisonment in the discretion of the court.

**False statements, etc.**

SEC. 5329. Any person who shall willfully and intentionally testify falsely before said commissioner or any authorized deputy shall be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment in the State prison for a period not

exceeding five years, and any person who shall refuse to testify before said commissioner or before any deputy thereof shall on conviction thereof be deemed guilty of a misdemeanor, and shall be punished by a fine not exceeding one hundred dollars or imprisonment not exceeding sixty days or both in the discretion of the court: *Provided*, That no person or corporation shall be required to answer any question that shall be an improper subject of inquiry or foreign to the object of this act.

[One of the three commissioners of the department of labor and industry is assigned to the labor division, in which there is also a deputy commissioner. Appropriations for the year 1922-23 included, for personal service, \$131,780 and for contractual service, \$24,055, other items bringing the aggregate up to \$174,935.]

## MINNESOTA.

### ACTS OF 1921.

#### CHAPTER 81.—*Industrial commission.*

**Department continued.** SECTION 1. The department of labor and industries is hereby continued as a department of the State government, under the control and management of the industrial commission of Minnesota, hereinafter created, and the office of commissioner of labor is hereby abolished.

**Commission created.** SEC. 2. There is hereby created a commission to be known as the "Industrial Commission of Minnesota," hereinafter called the commission. The commission shall be composed of three commissioners who shall be appointed by the governor by and with the advice and consent of the senate. The first three commissioners shall be appointed within thirty (30) days after the passage of this act and before the adjournment of the present legislature, if practicable. One shall be appointed for a term commencing March 15, 1921, and ending June 30, 1923; one for a term commencing March 15, 1921, and ending June 30, 1925; and one for a term commencing March 15, 1921, and ending June 30, 1927; and thereafter each commissioner shall be appointed for a term of six years. Not more than two commissioners shall belong to the same political party. Inasmuch as the duties to be performed by such commission vitally concern the employers, employees, as well as the whole people of the State, it is hereby declared to be the purpose of this act that persons be appointed as commissioners who shall fairly represent the interests of all concerned in its administration. Any vacancy on the commission shall be filled by the governor by and with the advice and consent of the senate for the unexpired portion of the term in which the vacancy occurs.

**Salaries, etc.** SEC. 3. Each commissioner shall receive an annual salary of \$4,500, payable in the same manner that other State salaries are paid. Each commissioner shall devote his entire time to the duties of his office. The commissioner whose term first expires shall be chairman. Each commissioner, before entering upon the duties of his office, shall take the oath prescribed by law.

**Removal from office.** SEC. 4. The governor may at any time remove a commissioner for inefficiency, neglect of duty, of malfeasance in office. Before such removal he shall give such commissioner a copy of the charges against him and fix a time when he shall be heard in his own defense, which shall not be less than ten days thereafter, and such hearing shall be open to the public. If such commissioner shall be removed, the governor shall file in the office of the secretary of state a complete copy of all the charges made against such commissioner and his findings thereon, with a record of the proceedings. Such power of removal shall be absolute and there shall be no right of review in any court whatsoever.

**Political action.** SEC. 5. Every commissioner and every officer or employee of the commission, who by solicitation or otherwise exerts his influence, directly or indirectly, to induce other officers or employees of the State to adopt his political views, or to favor any particular person or candidate for office, or to contribute funds for campaign or political purposes, shall be removed from his office or position by the authority appointing him.

SEC. 6. The commission shall keep its office at St. Paul and shall be provided by the custodian of State property with suitable rooms and necessary furniture. The commission may, however, hold sessions at any other place in the State when the convenience of the commission and the parties interested so requires.

Offices.

SEC. 7. Upon the taking effect of this act, the commission shall meet at the State capitol and organize. A majority of the commissioners shall constitute a quorum for the exercise of the powers conferred and the duties imposed on the commission. A vacancy shall not impair the right of the remaining commissioners to exercise all the powers and perform all of the duties of the commission.

Organization.

SEC. 8. The department of labor and industries shall be open for the transaction of business during all business hours of each and every day, excepting Sundays and legal holidays. The sessions of the commission shall be open to the public and may be adjourned from time to time. All the proceedings of the commission shall be shown on its records, which shall be public records.

Office to be open.

SEC. 9. The commission shall have a seal for the authentication of its orders and proceedings, upon which shall be inscribed the words "Industrial Commission of Minnesota — Seal," and such other design as the commission may prescribe. The courts of this State shall take judicial notice of such seal and of the signatures of the chairman and the secretary of the commission; and in all cases copies of orders, proceedings, or records of the commission, certified by the secretary of the commission under its seal, shall be received in evidence, with the same force and effect given to the originals.

Seal.

SEC. 10. The commission shall appoint a secretary, who shall receive an annual salary not exceeding \$3,500, and who shall hold office at the pleasure of the commission. It shall be the duty of the secretary to keep a full and true record of all proceedings of the commission, to issue all necessary processes, writs, warrants, and notices which the commission is required or authorized to issue, and generally to perform such other duties as the commission may prescribe.

Secretary.

SEC. 11. The commission may appoint with complete and absolute power of removal such division heads or chiefs, deputy division heads or chiefs, managers, assistant managers, superintendents, officers, agents, architects, accountants, experts, engineers, physicians, and referees as may be necessary for the exercise of its powers and the performance of its duties; and subject to the provisions of General Statutes 1913, sections 3813, 3814, 3815, 3816, which shall be applied as far as applicable, may also appoint such statisticians, inspectors, deputy inspectors, and other employees, and assistants as may be necessary for the exercise of its powers and the performance of its duties. The commission shall prescribe the duties and fix the salaries of all such appointees which shall not exceed in the aggregate the amount appropriated by the legislature for that purpose. All persons holding positions in the department of labor and industries or under the State board of arbitration on June 1, 1921, shall be transferred by the commission to the department of labor and industries as herein constituted, and assigned to such positions and duties as the commission may designate.

Staff.

SEC. 12. The commission and the officers, assistants, and employees of the commission shall be paid out of the State treasury their actual and necessary expenses while traveling on the business of the commission. Vouchers for such expenses shall be itemized and sworn to by the persons incurring the expense, and be subject to the approval of the commission.

Expenses.

SEC. 13. On and after June 1, 1921, the commission shall possess all the powers and perform all the duties now conferred and imposed by law on the department of labor and industries and the State board of arbitration except that any power or duty vested in the commissioner of labor at the time of the taking effect of this act and requiring individual action, shall, on the taking effect

Powers transferred.

of this act, be exercised or performed by such member of the commission, or officer or employee of the department, as shall be designated by the commission. The State board of arbitration, as now constituted, is hereby abolished.

**Divisions.**

SEC. 14. The department of labor and industries shall consist of the following divisions, to wit: Division of workmen's compensation, division of boiler inspection, division of accident prevention, division of statistics, division of women and children [includes administration of minimum wage law, the special commission being abolished: ch. 84, acts of 1916], division of employment, division of mediation and arbitration, and such other divisions as the commission may deem necessary and establish. Each division of the department and persons in charge thereof shall be subject to the supervision and direction of the commission and of any commissioner assigned to supervise the work of such division, and, in addition to such duties as are or may be imposed on them by statute, shall perform such other duties as may be assigned to them by the commission.

**Powers and duties.**

SEC. 15. The commission shall have the following powers and duties:

**Workmen's compensation.**

(1) To exercise such powers and perform such duties concerning the administration of the workmen's compensation laws of the State as may be conferred and imposed on it by such laws.

**Inspection, etc.**

(2) To exercise all powers and perform all duties now conferred and imposed on the department of labor and industries as heretofore constituted, and the bureaus of such department, so far as consistent with the provisions of this act.

**Employment agencies.**

(3) To establish and conduct free employment agencies, and after the first of June, 1921, to supervise the work of private employment offices all as now provided by law; to make known the opportunities for self-employment in this State, to aid in inducing minors to undertake promising skilled employments, to encourage wage earners to insure themselves against distress from unemployment, to investigate the extent and causes of unemployment in the State and remedy therefor, and to devise and adopt the most efficient means in its power to avoid unemployment.

**Labor disputes.**

(4) To promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees in order to avoid strikes, lockouts, boycotts, black lists, discriminations, and legal proceedings in matters of employment. In pursuance of this duty it may appoint temporary boards of arbitration or conciliation, provide the necessary expenses of such boards, order reasonable compensation not exceeding \$15 per day for each member engaged in such arbitration or conciliation, prescribe rules of procedure for such arbitration or conciliation boards, conduct investigations and hearings, issue or publish statements, findings of facts, conclusions, reports, and advertisements, and may do all other things convenient and necessary to accomplish the purposes directed in this act. The commission may designate a subordinate, to be known as chief mediator, and may detail other assistants or employees for the purpose of executing these provisions, without extra compensation. In order to carry out the provisions of this subsection the industrial commission or any commissioner thereof, the chief mediator or any temporary board of conciliation or arbitration, shall have power to administer oaths to witnesses and to issue subpoenas for the attendance of witnesses; and if any person refuses to comply with any subpoena issued by the commission, a commissioner, the chief mediator, or a temporary board of conciliation or arbitration, or if any witness refuses to testify regarding that about which he may be lawfully interrogated, the judge of any district court of any county in the State, on application of the commission or of a commissioner, shall compel obedience by attachment proceed-

ings as for contempt, as in the case of the disobedience of a subpoena issued by such court.

(5) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and duties, and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings. But such rules and regulations shall not be effective until ten days after their adoption. A copy of such rules and regulations shall be delivered to every citizen making application therefor.

Investigations

(6) To collect, collate, and publish statistical and other information relating to the work under its jurisdiction and to make public reports in its judgment necessary. On or before the first Monday in January of each year the commission shall report its doings, conclusions, and recommendations to the governor, which report shall be printed and distributed biennially to the members of the legislature and otherwise as the commission may direct.

Statistics.

(7) To establish and maintain branch offices as needed for the conduct of its affairs.

Branch office

SEC. 16. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Repealer.

Approved March 14, 1921.

[The following provisions of law, in so far as not inconsistent with chapter 81, Acts of 1921, above, continue in force:]

GENERAL STATUTES—1913.

*Department of labor and industries.*

SECTION 3819 (as amended by chapter 110, Acts of 1919). The department shall enforce all laws regulating the employment of minors and women, the protection of the health, limbs, and rights of the working classes, and those prescribing the qualifications of persons in trades and crafts, and shall be clothed with the same powers for the enforcement of the compulsory education and truancy laws as those conferred on truant officers by section 1448, Revised Laws of 1905 [sec. 986]. It shall be empowered to gather statistics relating to all branches of labor, to labor troubles and unions, and to the economic and social conditions of the laboring classes. In the discharge of its duties the members and employees of the department may enter any factory, mill, workshop, warehouse, mercantile establishment, office, engineering work or other place where persons are employed, or any office from which such place of employment is directed or managed, at all reasonable times, give such direction as may be necessary to enforce the laws and remain while engaged in their official duties. They may also enter any place where intoxicating beverages are sold, for the purpose of enforcing the child labor and school attendance laws or other duties imposed upon them. Any member of the department of labor and industries may issue subpoenas and take testimony, and compel the attendance of witnesses, and shall have authority to administer oaths and take testimony under oath, but no person shall be compelled to attend as a witness unless he is paid the fees provided for witnesses in the district court.

Duties and powers.

The bureau of women and children shall have power to enforce and cause to be enforced, by complaint in any court or otherwise, all laws and local ordinances relating to the health, morals, comfort, and general welfare of women and children.

SEC. 3321. On request of the department, and within the time limited therein, every employer of labor, any officer of a labor organization, or any other person from whom the department of labor shall find it necessary to gather information, shall make a certified report to the department upon blanks furnished by it,

Reports.

- of all matters covered by the request. The names of persons or concerns supplying such information shall not be disclosed. Every notice, order, or direction given by the department shall be in writing, signed by any officer or inspector of the department, or a person specially designated for the purpose, and be served by him. Papers so served and all records and documents of the department are hereby declared public documents and shall not be destroyed within two years after their return or receipt by the department.
- Records.**
- Appeal to courts.** Sec. 3822. Within ten days after the service of any order or direction of the department, any person aggrieved may apply to a judge of the district court for an order restraining its enforcement, and upon not more than thirty (30) days' notice a hearing may be had before such court, or before three impartial expert referees appointed by the court, who shall file their report within ten days after the hearing. The court may alter, annul, or affirm the order or direction complained of; the decision to be based upon the hearing by the court, or upon the report of the referees. Such decision shall take the place of the original order. In cases of affirmance, the losing parties shall pay a reasonable compensation to the referees, to be fixed by the court. In cases of decisions rendered adverse to the order of the department of labor, such compensation shall be paid out of the appropriation for the support of the department.
- Local ordinances.** Sec. 3823. Whenever the department learns of a violation of a local ordinance for the protection of employees it shall give written notice thereof to the proper municipal authorities, and take any steps permissible under the ordinance for its enforcement.
- Penalties.** Sec. 3825 (as amended by chapter 14, Acts of 1917). Any officer, agent, or employee of the department who shall disclose the name of any person supplying information at the request of the department shall be guilty of a misdemeanor. Any person who, having been duly subpoenaed, shall refuse to attend or testify in any hearing under the direction of said commissioner shall be guilty of a misdemeanor. Any owner or occupant of any factory, mill, workshop, engineering work, store, or other place enumerated in section 8 [sec. 3819] of this act, or agent of such person, who shall refuse to admit thereto any officer, agent, or employee of the department seeking entrance in the discharge of his duty, shall be guilty of a misdemeanor. Any person, firm, or corporation, or any of its officers or agents, who or which shall refuse to file with the department such reports as are required by it under the provisions of this act shall be guilty of a misdemeanor.
- Division for deaf.** Sec. 3828. There shall be created in the bureau of labor a division devoted to the deaf.
- Chief.** Sec. 3829. The commissioner of labor shall appoint a competent man to take charge of such division who shall devote his time to the special work of labor for the deaf, under the supervision of the commissioner. He shall collect statistics of the deaf, ascertain what trades or occupations are most suitable for them, and best adapted to promote their interest, and shall use his best efforts to aid them in securing such employment as they may be fitted to engage in.
- He shall keep a census of the deaf and obtain facts, information, and statistics as to their condition in life with a view to the betterment of their lot. He shall endeavor to obtain statistics and information of the condition of labor and employment and education of the deaf in other States with a view to promoting the general welfare of the deaf of this State.
- Title.** Sec. 3830. He shall be designated as chief of the bureau of labor for the deaf.
- [The organization of the commission, other than for the administration of the compensation law, is as follows:]
- Division of boiler inspection:* One chief boiler inspector, one assistant chief boiler inspector.

*Division of accident prevention:* One chief of division, 11 factory inspectors, 2 elevator inspectors, 2 railroad inspectors.

*Division of statistics:* One statistical secretary, one chief statistical clerk, one statistical clerk.

*Division of women and children:* One superintendent of division, six investigators.

*Division of employment:* Three managers, three women supervisors.

*Division for the deaf:* One superintendent of division.

### MISSISSIPPI.

[No bureau of labor exists in this State. The only labor official provided for is a factory inspector appointed by the State board of health, and charged with the inspection of factories and canneries where women and children are employed. A stenographer is also furnished.]

## MISSOURI.

### REVISED STATUTES—1919.

#### *Bureau of labor statistics.*

- Bureau established.** SECTION 6737. There is hereby established a separate and distinct department in this State, to be known as the "Bureau of Labor Statistics."
- Object of bureau.** SEC. 6738. The object of this department shall be to collect, assort, systematize and present in annual report to the governor, to be by him transmitted biennially to the general assembly, statistical details and information relating to all departments of labor in the State, especially in its relations to the commercial, industrial, social, educational and sanitary condition of the laboring classes and to the permanent prosperity of the productive industries of the State.
- Commissioner.** SEC. 6739. The governor shall, with the advice and consent of the senate, appoint, immediately after this article goes into effect, and every four years thereafter, some suitable person to perform the duties herein required, who shall be known as commissioner of labor statistics, and who shall keep an office in such place as may be designated by the governor.
- Reports.** SEC. 6740. The commissioner shall, annually, on or before the 5th day of November, present a report in writing to the governor, which shall contain statistical details relating to all departments of labor in the State, together with such other information as is contemplated by section 6738.
- Witnesses.** SEC. 6741. The commissioner shall have power to administer oaths or affirmations, to examine witnesses, and to take and preserve evidence; and it shall be the duty of all State, county, and municipal officers to furnish to said commissioner, upon his request, all statistical information in reference to labor which may be in their possession as such officers.
- SEC. 6742. The commissioner of labor statistics shall be authorized to have printed not to exceed three thousand copies of his annual report for general distribution, and all printing, binding, bulletins, blanks, stationery, or map work shall be done under any contract which the State now has or shall have, and the expense thereof shall be audited and paid for in the same manner as for similar work for the State out of the appropriation for the purchase of material, printing, and publishing documents for the State.
- Access to factories, etc.** SEC. 6743 (as amended by act, p. 3, Acts of 1921). Any owner, operator, manager, or lessee of any mine, factory, workshop, warehouse, elevator, foundry, machine shop, or other manufacturing establishment, or any other employer of labor, or any agent or employee of such owner, operator, manager, or lessee, who shall refuse to said commissioner, when requested by him, any statistical or other information relative to his duties which may be in their possession or under their control, shall, for every such neglect or refusal, be deemed guilty of a misdemeanor, and shall, on conviction, be fined in a sum not less than twenty-five nor more than one hundred dollars.
- Salary.** SEC. 6744. The commissioner of labor statistics shall receive an annual salary of three thousand five hundred dollars, payable monthly, and said commissioner is hereby authorized to employ such assistance and incur such expense as may be necessary to carry out the provisions of this article, such expense to be paid on the vouchers presented by the commissioner: *Provided, how-*

*ever*, That said expenses shall not exceed, in any one year, the amount appropriated therefor; said commissioner shall before entering upon the duties of his office execute a bond to the State of Missouri, in the sum of twenty thousand dollars, with two or more good and sufficient sureties, conditioned upon the faithful, honest, and impartial performance of his duties under this article, which bond shall be approved by the State auditor and filed in his office. Said commissioner shall include in his annual report to the governor an itemized statement of the expenses of the bureau incurred by him.

Bond.

SEC. 6745. The commissioner of labor statistics is hereby directed to collect any information he may deem necessary to carry out the objects of the bureau as set forth in section 6738, and is hereby authorized to furnish suitable blanks to managers of public-service corporations, county, city, and township officers, and to the officers of prisons, penal and reformatory institutions, and it shall be the duty of all such managers and officers to furnish such information as the commissioner may require and which may be in their possession with the least possible delay.

Duty of commissioner.

SEC. 6746. It shall be the duty of every owner, operator, or lessee of any factory, foundry, or machine shop, or other manufacturing establishment doing business within this State to report annually, on or before the first day of March, to the commissioner of the bureau of labor statistics the name of firm or corporation and the number of members, male and female, constituting the same; where located; capital invested in grounds, buildings, and machinery; class and value of goods manufactured; aggregate value of raw material used; total number of days in operation; amount paid yearly for rent, tax, and insurance; total amount paid in wages; total number of employees, male and female; number engaged in clerical and manual labor, with detailed classification of the number and sex of employees engaged in each class, and average daily wages paid to each.

Duty of owners of factories, etc.

SEC. 6747. The commissioner of the bureau of labor statistics is hereby authorized to furnish suitable blanks to the owner, operator, manager, or lessee of any factory, workshop, elevator, foundry, machine shop, or any other manufacturing establishment, to enable said owner, operator, manager, or lessee to intelligently comply with the provisions of section 6746 of this article; and any such owner, operator, manager, or lessee who shall neglect or refuse to comply with the provisions of this article, or who shall untruthfully answer any question or questions put to him by the commissioner of labor, in a circular or otherwise, in furtherance of the provisions of sections 6745 and 6746, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than two hundred dollars.

Blanks, etc.

[The officers named are the commissioner and a chief of industrial inspection. The sum of \$50,000 is appropriated for the years 1921 and 1922 for salaries, etc., including salaries of special agents and clerks.]

MONTANA.

CONSTITUTION.

ARTICLE 18.—Bureau of agriculture, labor, and industry.

Assembly may provide for bureau.

SECTION 1. The legislative assembly may provide for a bureau of agriculture, labor, and industry, to be located at the capital and be under the control of a commissioner appointed by the governor subject to the confirmation of the senate. The commissioner shall hold his office for four years and until his successor is appointed and qualified; his compensation shall be as provided by law.

ACTS OF 1921.

CHAPTER 216.—Department of agriculture, labor, and industries.

Purpose.

SECTION 1. There is hereby created a department of the government of the State of Montana to be known as the "department of agriculture, labor, and industry." The general purpose of said department is the promotion of the agricultural and labor interests of the State of Montana as hereafter more specifically provided.

Title.

SEC. 2. The chief executive officer of the department of agriculture, labor, and industry, hereinafter referred to as the commissioner of agriculture, shall be a commissioner of agriculture, to be appointed by the governor, by and with the consent of the senate, and such commissioner shall hold office for a term of four years or until his successor is appointed and qualified.

Surety.

SEC. 3. Before entering upon the duties of his office, the commissioner of agriculture shall take and subscribe the constitutional oath of office, and shall give a surety company bond in the sum of \$5,000 conditioned for the faithful performance of his duties, the cost of said bond to be paid by the State. The commissioner shall receive an annual salary of \$5,000, payable in the same manner as the salaries of other State officers, and shall be allowed such expenses as may be actually and necessarily incurred in the performance of his duties. He shall maintain his office at the State capitol.

Authority.

SEC. 4. The commissioner of agriculture is empowered to prescribe regulations not inconsistent with law for the government of his department, the conduct of its employees and clerks, the distribution and performance of its business, and the custody, use, and preservation of the records, papers, books, documents, and property pertaining thereto. He shall also have authority to designate the form of and to use a seal to authenticate his official acts.

Assistants.

SEC. 5. The commissioner of agriculture shall have the authority to appoint for the performance of the work of said department such number of secretaries, assistants, clerks, and other employees as he shall deem necessary for the performance of the work of the department, subject, however, to the approval of the State board of examiners. All persons so employed shall receive the compensation fixed by law or fixed by the board or department to whom may be intrusted the power to fix the compensation of deputy State officers and employees; if not so fixed, the commissioner of agriculture shall determine the amount of said compensation. No employee of the department of agriculture, labor, and industry who is paid a fixed compensation shall receive pay for any extra services rendered by him unless expressly authorized by law.

Divisions.

SEC. 9. There shall be four main divisions of the department of agriculture, labor, and industry, to wit:  
The division of farming and dairying.  
The division of grain standards and marketing.

The division of horticulture.

The division of labor and publicity.

The divisions hereby created are intended for the sole purpose of promoting the logical and convenient classification of the work of the department, and nothing herein contained shall be deemed to prevent any person engaged in the work of a particular division from performing the work of another division; the commissioner may likewise create additional divisions at his discretion.

Change permitted.

SEC. 56. The division of labor and publicity. The department of agriculture, labor, and industry, through the division of labor and publicity, shall be charged with the duty of enforcing all the laws of Montana relating to hours of labor, conditions of labor, protection of employees, and all laws relating to child labor regulating the employment of children in any manner; it shall also be the duty of such division to administer all the laws of the State relative to free employment offices.

Division of labor.

Duties.

SEC. 57. It is the duty of the city council of any incorporated city of the first or second class within this State, and it shall be lawful for the city council of any other incorporated city, to provide for the establishment of a free public employment office to be conducted on the most approved plans, and to provide for the expenses thereof out of the revenues of the city in which the same is established. The annual report of the department of agriculture, labor, and industry shall contain a detailed account of all such free employment offices within the State showing the number of applicants for employment, the number securing employment, and the expenses of maintaining such office.

Employment agencies.

SEC. 58. In discharging the duties imposed upon the division of labor and publicity, the commissioner of agriculture shall have power to administer oaths, to examine witnesses under oath, to take depositions or cause same to be taken, to deputize any male citizen over the age of 21 years to serve subpoenas upon witnesses, and to issue subpoenas for the attendance of witnesses before him in the same manner as for attendance before district courts. The commissioner of agriculture shall likewise have the authority to inspect any mine, factory, workshop, smelter, mill, warehouse, elevator, foundry, machine shop, or other industrial establishment, and any person who shall refuse to the commissioner admission to any of the industrial establishments herein enumerated when admission is requested for the purpose of inspection, or who shall, when requested by the commissioner, willfully neglect or refuse to furnish to him any statistics or other information which may be in the possession or under the control of such person, or who shall refuse to obey any subpoena issued by the commissioner, shall be deemed guilty of a misdemeanor and be punished accordingly. Nothing herein contained shall in any manner confer upon the commissioner of agriculture the authority to interfere in any manner with the conduct of the matters under the control of the industrial accident board, nor shall said commissioner be charged with the duty of enforcing any of the laws of the State of Montana pertaining to the affairs of said industrial accident board, nor with the enforcement of the safety provisions of the workmen's compensation act.

Powers.

Limitations.

SEC. 70. Any person, firm, company, or corporation who shall violate any of the provisions of this act, or who shall fail to comply with any order of the department of agriculture, labor and industry, or of the commissioner of agriculture, or any of his lawfully constituted agents, provided that said order be made in pursuance of the authority granted by this act, shall be deemed guilty of a misdemeanor and punishable by a fine of not to exceed five hundred dollars, or by imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

Violations.

Approved March 5, 1921.

[The organization comprises the commissioner of agriculture and a chief of the division of labor and publicity.]

NEBRASKA.

COMPILED STATUTES—1922.

*Civil administrative code—Department of labor.*

TITLE I.

ARTICLE I.—*General provisions.*

Power of gov- SECTION 7242. The civil administration of the laws of the State  
ernor. is hereby vested in the governor. For the purpose of aiding the  
governor in the execution and administration of the laws, the  
executive and administrative work shall be divided into the  
several departments enumerated in section 2 [sec. 7243] of this  
article.

Departments. SEC. 7243. There are hereby created and established the follow-  
ing departments of the State government. \* \* \* ; the depart-  
ment of labor; \* \* \*

Secretaries. SEC. 7244. To aid the governor in carrying out the constitu-  
tional duties, vested in him as the supreme executive, each  
department shall have a departmental officer who shall be known  
as "secretary," who shall, subject to the provisions of this act,  
and under the general direction of the governor, execute the  
power and discharge the duties vested by law in his respective  
department. Such officers shall be designated as follows:  
\* \* \* ; the secretary of labor, for the department of labor;  
\* \* \*

Salaries. SEC. 7245. The secretaries of the respective departments created  
by this article shall receive annual salaries in monthly or yearly  
periods as follows: \* \* \* ; the secretary of labor shall receive  
\$5,000; \* \* \*

Staff. SEC. 7246. The governor shall, in each department, have power  
to appoint such deputies, assistants, employees, and clerical help  
as shall be necessary or essential to the economical but efficient  
and proper enforcement and administration of the laws of the  
State, and shall at the same time fix the salaries of such ap-  
pointees and prescribe their duties. The governor shall also have  
power to discontinue the service of any secretary or employee  
when, in his judgment, the same is not longer necessary. \* \* \*

TITLE IV.

ARTICLE I.—*Department of labor—General powers.*

Functions. SECTION 7654. The governor, through the agency of the depart-  
ment of labor created by this act, shall have the power:

1. To foster, promote, and develop the welfare of wage earners;
2. To improve working conditions;
3. To advance opportunities for profitable employment;
4. To collect, collate, assort, systematize, and report statistical  
details relating to all departments of labor, especially in its rela-  
tion to commercial, industrial, social, economic, and educational  
conditions, and to the permanent prosperity of the manufacturing  
and productive industries;
5. To require [acquire] and diffuse useful information on sub-  
jects connected with labor in the most general and comprehensive  
sense of the word;
6. To acquire and diffuse among the people useful information  
concerning the means of promoting the material, social, intellec-  
tual, and moral prosperity of laboring men and women;

7. To acquire and diffuse information as to the conditions of employment and such other facts as may be deemed of value to the industrial interests of the State;

8. To acquire and diffuse information in relation to the prevention of accidents, occupational disease, and other related subjects;

9. To administer and enforce the workmen's compensation laws or employers' liability acts of the State, and for that purpose the secretary of the department of labor shall be the deputy commissioner of labor and compensation commissioner, and the duty hereby imposed upon him, as such, of executing all of the provisions of Article VIII, chapter 35, Revised Statutes of Nebraska for the year 1913 [ch. 28, relating to workmen's compensation], and any and all act or acts amendatory thereof.

ARTICLE II.—*Employment regulations.*

SECTION 7655. In addition to the general powers conferred upon the governor in the preceding article, he is hereby invested with the power and charged with the duty of enforcing, through the agency of the department of labor created by this act, all of the provisions contained in this article and all provisions which may be hereafter enacted as amendatory thereof.

SEC. 7656. The department of labor shall establish and maintain in its office and in connection therewith a free public employment bureau.

[The secretary of labor is also charged with the licensing and supervision of private employment offices. The secretary is the only official designated by the act or by the appropriation act of 1921.]

## NEVADA.

### ACTS OF 1915.

#### CHAPTER 203.—*Labor commissioner.*

- Office created.** SECTION 1 (as amended by chapter 56, Acts of 1919). There is hereby created the office of labor commissioner of the State of Nevada, and one member of the Nevada Industrial Commission, other than the chairman, shall be designated by the governor to act as ex officio labor commissioner. Said commissioner shall receive as compensation for his services as labor commissioner a salary of fifteen hundred (\$1,500) dollars per annum, payable in monthly installments out of the State treasury of Nevada as other salaries are paid. Said commissioner may employ stenographic or clerical help not to exceed fifteen hundred (\$1,500) dollars per annum, and statistical assistance not to exceed three hundred (\$300) dollars per annum. Said labor commissioner shall be entitled to receive from the State, when travel is necessary in the performance of his official duty, reimbursement for the actual cost of transportation to points within the State over the shortest usually traveled route, and such other expenses as are allowed to other State officers.
- Salary.**
- Assistance.**
- Reports.** SEC. 2. Said commissioner shall collect and systematize, and present in biennial reports to the governor and legislature, statistical details relating to labor in the State.
- Statistics.** SEC. 3. Said statistics may be classed as follows:  
First—In agriculture.  
Second—In mining.  
Third—In mechanical and manufacturing industries.  
Fourth—In transportation.  
Fifth—In clerical and other skilled and unskilled labor not mentioned above.  
Sixth—The number, age, sex, and condition of persons employed, the nature of their employment, the extent to which the apprenticeship system prevails in the various industries, the number of hours of labor per day, the average length of time employed per annum, and the net wages received in the industries and employments within the State.  
Seventh—The number and condition of the unemployed, their age, sex, and nationality, and the cause of their unemployment.  
Eighth—The sanitary conditions of workshops, dwellings, the cost of fuel, rent, food, clothing, and necessities of life; the extent to which labor-saving processes are employed in the displacement of labor.  
Ninth. The number and condition of the Chinese and Japanese in this State, and to what extent their labor comes into competition with the other industrial classes of the State.  
Tenth. The number and nature of the employment of inmates in State prisons and county jails and the extent their employment comes into competition with labor outside of these institutions.  
Eleventh. The number of hospitals within the State; the number of hospitals maintained through cooperative arrangements between employer and employee; the cost of maintenance thereof; the amount of fees charged for hospital, medical, and surgical attention to employees in the State; the character of the arrangements and maintenance thereof between employer and employee; the sanitary condition and efficiency of such hospitals; the nature of their equipment and the character of services, expert and otherwise, rendered therein.

Twelfth. A description of the different kinds of labor organizations within the State, their objects, purposes, and accomplishments, as near as may be.

Thirteenth. The number of employment bureaus or agencies within the State, character and nature of their business, requirements, fees, and service.

Fourteenth. All such other information in relation to labor as said commissioner may deem essential to further the objects of this act.

SEC. 4 (as amended by chapter 138, Acts of 1921). Said commissioner shall inform himself of all laws of the State for the protection of life and limb in any of the industries of the State, all laws regulating the hours of labor, the employment of minors, the payment of wages, and all other laws enacted for the protection and benefit of employees, and shall have the power and authority, when in his judgment he deems it necessary, to take assignment of wage claims and prosecute actions for collection of wages and other demands of persons who are financially unable to employ a counsel in cases in which, in the judgment of the commissioner, the claims for wages are valid and enforceable in the courts; and it shall be the duty of said labor commissioner to enforce all labor laws of the State of Nevada, the enforcement of which is not specifically and exclusively vested in any other officer, board, or commission, and whenever after due inquiry he shall be satisfied that any such law has been violated, or that persons financially unable to employ a counsel have a valid and enforceable claim for wages or other demand, he shall present the facts to the district attorney of the county in which such violation occurred or wage claim accrued, and it shall be the duty of such district attorney to prosecute the same.

Duties of commissioner.

SEC. 5. Said labor commissioner shall cooperate with such bureaus or departments of labor of the National Government and other States as may be established.

Cooperation.

SEC. 6. It shall be the duty of all State, county, and precinct officers to furnish, upon written request of said labor commissioner, all information in their power necessary to assist in carrying out the objects of this act.

Duty of officers.

SEC. 7. The office of the bureau shall be open for business from 9 a. m. until 5 o'clock p. m. every day, except Sunday and the holidays observed by other State officers; and the officers shall give to all persons requesting it all needed information which they may possess: *Provided*, That no information that is of such a nature that it would be against public policy and against the best interest of the bureau will be given to any one.

Office hours.

Giving information.

SEC. 8. Said labor commissioner shall have the power to examine witnesses, administer oaths, and take testimony in all matters relating to the duties and requirements of this act, and such testimony shall be taken in some suitable place in the vicinity to which the testimony is applicable. Said labor commissioner may compel the attendance of witnesses, and may issue subpoenas: *Provided, however*, That no witness fees shall be paid to any witness unless he be required to testify at a place more than five miles from his place of residence, in which event the witness shall be paid the same fees as a witness before a district court, such payment to be made from the fund appropriated for such purposes in the county in which the testimony is taken and witness examined in the same manner as provided for the payment of witness fees in the district court of such county. Any person duly subpoenaed under the provisions of this section, who shall willfully refuse or neglect to testify at the time and place named in the subpoena, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Witnesses.

SEC. 9. Said labor commissioner shall have the power to enter any store, foundry, mill, office, workshop, mine, or public or pri-

Entering work places.

vate works at any reasonable time for the purpose of gathering facts and statistics contemplated by this act, and to examine safeguards and methods of protection from danger to employees; the sanitary conditions of the buildings and surroundings, and make a record thereof; and any owner, corporation, occupant, or officer who shall refuse such entry to said labor commissioner, his officers, or agents, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail not less than ten days nor more than thirty days, or by both such fine and imprisonment.

Bulletins.

SEC. 10. The labor commissioner is hereby authorized, with the approval of the board of examiners, to compile and issue such bulletins pertaining to labor and industries of the State as he may deem necessary, and such bulletins, when approved for printing and distribution, shall be printed at the State printing office.

Forms, etc.

SEC. 11. Said labor commissioner shall prepare forms and blanks for the purpose of gathering the information and statistics required by this act, and may require any person, firm, or corporation to give the information and statistical detail designated in such forms, and any person, firm, or corporation who shall refuse to furnish such detail and statistics in the form required shall be guilty of a misdemeanor, and upon conviction thereof may be fined not less than one hundred dollars nor more than five hundred dollars.

Printing.

SEC. 12 (as amended by chapter 56, Acts of 1919). All forms, blanks, envelopes, letterheads, circulars, bulletins, and reports required to be printed by said labor commissioner shall be printed at the State printing office in the same manner and under the same regulations which are specified in an act entitled "An act to designate and authorize the work to be done in the State printing office," approved March 5, 1909.

Prosecutions.

SEC. 13. It shall be the duty of the district attorneys of the several counties, upon the complaint of the labor commissioner, to prosecute all violations of law which may be reported to said district attorney by the labor commissioner.

Appropriation.

SEC. 14 (as amended by chapter 56, Acts of 1919). For the purpose of carrying out the provisions of this act there is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, the sum of ten thousand (\$10,000) dollars. All salaries and expenses enumerated in this act, except the expenses of printing at the State printing office and the providing of properly furnished offices at the capitol, shall be paid from the appropriations made for the salaries and support of the office of labor commissioner.

Offices.

SEC. 15. The labor commissioner shall be provided with properly furnished offices at the capitol in Carson City, Nev.

Approved March 13, 1919.

[The appropriation act for the years 1921 and 1922 provides for the commissioner, a clerk, and \$300 per year for statistical assistants.]

## NEW HAMPSHIRE.

### ACTS OF 1893.

#### CHAPTER 48.—*Commissioner of labor.*

SECTION 5. The duties of the commissioner shall be to collect, assort, arrange, and present in annual reports, on or before the first day of January each year, statistical details relating to all departments of labor in the State of New Hampshire, especially in relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes, and the permanent prosperity of the productive industry of the State. Duties.

### ACTS OF 1911.

#### CHAPTER 193.—*Bureau of labor.*

SECTION 1 (as amended by chapter 70, Acts of 1913). The office of commissioner of labor is hereby abolished and a bureau of labor is established in place thereof in accordance with the provisions of this act. Said bureau of labor shall consist of a labor commissioner who shall be appointed by the governor with the advice and consent of the council, within thirty days after the passage of this act, and such clerks and assistants as shall be necessary for the performance of the duties of the bureau. The labor commissioner shall hold his office for three years from the date of his appointment and until his successor shall be appointed and qualified, and he may be removed at any time by the governor with the advice and consent of the council, for cause, and his successor shall be appointed in the same manner for the same term. Any vacancy existing in the office of labor commissioner shall be filled for the unexpired portion of the term by appointment by the governor with the advice and consent of the council. Said commissioner shall appoint a clerk of the bureau and such other clerical assistants as may be necessary and fix their compensation subject to the approval of the governor and council. The records of said bureau shall be public records open to the inspection of any person interested. The salary of said labor commissioner shall be one thousand six hundred dollars (\$1,600) a year, payable monthly by the State treasurer in full for his services, and his actual expenses incurred in the work of his office shall be paid by the State treasurer on duly detailed vouchers approved by the governor. Bureau created.

SEC. 2. Said labor commissioner shall exercise and perform all the powers and duties heretofore exercised and performed by the commissioner of labor, together with such other powers and duties as are authorized by this act. It shall be the duty of the commissioner, without notice, at such times as he shall deem it necessary, to visit the manufacturing, mechanical, and mercantile establishments in the State, so far as practicable, for the purpose of ascertaining whether the laws with reference to the employment of help are complied with, and for the further purpose of ascertaining if reasonable sanitary and hygienic conditions are maintained calculated to promote the health and welfare of the working people. If he shall deem it necessary, he shall transmit to the legislature a report upon these matters when he shall deem the Duties and powers.

occasion of sufficient importance, with such recommendations as he shall think advisable. Whenever he shall deem it necessary, the commissioner shall prosecute any offense against the laws regulating the employment of help.

[The commissioner of labor also has certain duties in connection with the adjustment of labor disputes, and is authorized to make rules and regulations with regard to safety appliances, etc., in factories, mills, workshops and manufacturing establishments. The personnel comprises the commissioner and three factory inspectors.]

## NEW JERSEY.

### ACTS OF 1916.

#### CHAPTER 40.—*Department of labor.*

SECTION 1 (as amended by chapter 252, Acts of 1922). The department of labor shall be reorganized and hereafter composed of:

First. One commissioner of labor.

Organization.

Second. A bureau of general and structural inspection.

Third. A bureau of electrical and mechanical equipment.

Fourth. A bureau of hygiene, sanitation, and mine inspection.

Fifth. A bureau of engineers' and firemen's licenses.

Sixth. A bureau of industrial statistics.

Seventh. A bureau of employment.

SEC. 2. The commissioner of labor shall be a citizen and resident of this State, appointed by the governor, by and with the advice and consent of the senate. He shall hold his office for the term of five years and until his successor is appointed and qualified. He shall receive a salary of six thousand dollars per annum.

Commissioner.

SEC. 3. He shall be the executive and administrative head of the department. All powers and duties heretofore vested in and devolved upon the commissioner of labor or the department of labor shall hereafter be exercised and performed by him in person or under his personal supervision and control, through and by any bureau or representative thereof, duly authorized by the commissioner of labor for that purpose. When not inconsistent with the provisions of any statute, he shall assign to the various bureaus and cause to be performed through them, under his supervision and in his name, such duties as may have been or hereafter may be devolved generally upon the department of labor or upon the commissioner of labor, to the end that through the several bureaus, each performing its assigned correlated functions, the work of the department shall be economically, efficiently, and promptly performed.

Powers and duties.

SEC. 4 (as amended by chapter 252, Acts of 1922). The bureau of general and structural inspection shall consist of a chief inspector, who shall be a structural expert, appointed by the commissioner of labor, and who shall be hereafter known as deputy commissioner of labor, and nineteen inspectors appointed by the commissioner of labor, of which at least three shall be women.

General and structural inspection.

SEC. 5 (as amended by chapter 252, Acts of 1922). The deputy commissioner of labor in charge of the bureau of general and structural inspection shall direct and assign, under the supervision and control of the commissioner of labor, the work of general and structural inspection except as hereinafter provided; supervise the work relating to plans for the alterations of old and the erection of new buildings, elevators, fire escapes, fire protection[;] supervise the inspection of the manufacture, storage, and transportation of explosives and such additional correlated duties as the commissioner shall direct. The deputy commissioner of labor in charge of the bureau of general and structural inspection shall be the representative of the commissioner of labor, in his absence, in the administrative duties of the general office and as the commissioner of labor shall authorize.

Duty of deputy commissioner.

SEC. 6 (as amended by chapter 252, Acts of 1922). The bureau of electrical and mechanical equipment shall consist of a chief inspector, who shall be appointed by the commissioner of labor. In addition to the chief inspector, there shall be one inspector, who shall be appointed by the commissioner of labor.

Electrical and mechanical bureau.

**Fire alarms, etc.** SEC. 7 (as amended by chapter 252, Acts of 1922). The bureau of electrical and mechanical equipment shall, under the supervision and control of the commissioner of labor, perform such duties in matters relating to fire alarm installations or other electrical equipment, the installation of mechanical safeguards on machinery and other correlated duties as the commissioner shall direct.

**Hygiene, etc.** SEC. 8 (as amended by chapter 252, Acts of 1922). The bureau of hygiene, sanitation, and mine inspection shall consist of a chief inspector appointed by the commissioner of labor, who shall be hereafter known as deputy commissioner of labor, an expert investigator of occupational diseases, a mine inspector having practical knowledge and skill in the work in and operation of mines and quarries, a bakery inspector who shall be a practical baker, one inspector, who shall be a person having practical knowledge and skill as a metal polisher and buffer, and such other inspectors or employees as may be assigned to the bureau.

**Ventilation, sanitation, etc.** SEC. 9 (as amended by chapter 252, Acts of 1922). The deputy commissioner of labor in charge of the bureau of hygiene, sanitation, and mine inspection shall perform, under the supervision and control of the commissioner of labor, the duties devolving upon the department of labor or the commissioner of labor, with relation to the elimination of dust, fumes, and excessive heat in industrial operation; the investigation of occupational diseases, and the ventilation and sanitation of factories, mills, bakeries, workshops, and places where the manufacture of goods is carried on; the inspection of mines, quarries, tunnels, and caissons; the direction of industrial safety education and such additional correlated duties as the commissioner of labor shall direct. The deputy commissioner of labor in charge of the bureau of hygiene, sanitation, and mine inspection shall be the personal representative of the commissioner of labor in the field and as authorized.

**Bureau of engineers' and firemen's licenses.** SEC. 10. The bureau of engineers' and firemen's licenses shall be constituted in the manner and form prescribed by and subject to all the provisions of an act entitled "An act to provide for the examination and license of engineers and firemen having charge of stationary and portable steam boilers and steam engines, and to prohibit the use of such steam boilers and steam engines unless the person in charge thereof shall be so licensed," approved April fourteenth, one thousand nine hundred and thirteen, and the amendments thereof and supplements thereto, and shall continue to exercise and perform the powers and duties conferred and devolving upon them by the provisions of that act. This bureau shall also perform, under the supervision and control of the commissioner of labor, such additional correlated duties as the commissioner shall direct.

**Duties.**

**Bureau of industrial statistics.** SEC. 11. The bureau of industrial statistics shall consist of a chief of the bureau, who shall be appointed by the commissioner of labor. The salary of the chief of the bureau shall be twenty-five hundred dollars per annum.

**Duties.**

SEC. 12. The bureau of industrial statistics shall perform, under the supervision and control of the commissioner of labor, the duties formerly vested in the bureau of labor statistics pursuant to the provisions of an act entitled "An act to establish a bureau of statistics upon the subject of labor, considered in all its relations to the growth and development of State industries," approved March twenty-seventh, one thousand eight hundred and seventy-eight, and the amendments thereof and supplements thereto, which bureau is now merged with the department of labor, and, in addition, shall publish and issue bulletins and pamphlets on matters pertaining to the work of the bureau, and perform such other duties as may be assigned to said bureau by the commissioner of labor.

**Bureau of employment.** SEC. 13. The bureau of employment shall be constituted as contemplated by an act of the legislature entitled "An act to authorize the department of labor to establish free labor bureaus, and

providing for their maintenance," approved March tenth, one thousand nine hundred and fifteen, except that the commissioner of labor shall appoint a chief of the bureau and fix his compensation and appoint such additional clerks and employees as may be necessary, and fix their compensation. By the bureau thus organized the powers and duties devolved upon the department of labor in and by the said act shall be exercised and performed.

SEC. 14. The commissioner of labor shall appoint and assign to duty such clerks and stenographers as he may consider necessary, and fix their compensation. All offices and employments, except that of the commissioner of labor, in the department shall be within the classified service of the State, subject to all the provisions of the civil service act.

Office force.

SEC. 15. The commissioner of labor may assign or transfer stenographers or clerks from one bureau to another, or inspectors from one bureau to another, or combine the clerical force of two or more bureaus, as may be necessary or advisable, or require from one bureau assistance in the work of another bureau. The system of organization hereby created is intended to facilitate and not to retard the economical and efficient performance of the work of the department and not to impair the control or responsibility of the commissioner over and for such work.

Transfer of employees.

SEC. 16. Upon this act taking effect the present commissioner of labor, who shall continue to hold his office in accordance with the provisions of this act, shall proceed to reorganize the department of labor as provided by this act. All the inspectors and other employees and appointees now in the service of the department shall continue in such service. The present commissioner of labor shall make all necessary appointments, assignments, and transfers from the inspectors, experts, employees, clerks, and stenographers now in the employ of the department, and fill any positions required to be filled after such transfer or assignment, in accordance with the provisions of the civil service act.

Present officials, etc.

SEC. 17. The commissioner of labor may appoint and employ such additional inspectors, except investigators or advisers, at such compensation and for such period as he may consider necessary. He may also appoint volunteer inspectors to serve without compensation. All persons appointed under this section shall have the same rights and powers as the regular inspectors.

Additional appointees.

SEC. 18. The term of office of the present commissioner of labor is hereby extended and he shall continue to hold and execute his office for a full term of five years from the date of issue of his present commission and until his successor, at the end of the term of five years from the date of the present commission, shall be appointed and qualified.

Term extended.

SEC. 19. All officers and employees or appointees in this department shall, in addition to their compensation, be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

Expenses.

SEC. 20. All acts and parts of acts inconsistent herewith are hereby repealed and this act shall take effect immediately.

Repeal.

Passed March 14, 1916.

ACTS OF 1917.

CHAPTER 58.—Department of labor—Inspectors.

SECTION 1 (as amended by chapter 172, Acts of 1919). The inspectors of the department of labor shall perform such duties as shall be designated by the commissioner of labor, and shall be divided into four grades, as hereinafter provided, which shall be designated, respectively, first grade, second grade, third grade, and fourth grade.

Duties.

Grades.

Fourth grade: Inspectors of this grade shall receive such compensation as is or may hereafter be provided by the State civil service commission in accordance with the provisions of chapter 24, P. L. 1918. Appointments of inspectors to this grade shall be

made from the list of eligibles for this grade submitted by the board of civil service commissioners obtained through open competitive examination.

Third grade: Appointments of inspectors to this grade shall be made from the list of eligibles for this grade submitted by the board of civil service commissioners obtained through open competitive examinations and shall receive such compensation as is or may hereafter be provided by the State civil service commission in accordance with the provisions of chapter 24, P. L. 1918.

Second grade: Inspectors of this grade shall receive such compensation as is or may hereafter be provided by the State civil service commission in accordance with the provisions of chapter 24, P. L. 1918. Any inspector, after having satisfactorily served for five years as an inspector in the third grade, shall, if recommended by the commissioner of labor, be admitted to noncompetitive promotion examination, to be conducted by the board of civil service commissioners, and upon successfully passing such examination, shall be promoted to the second grade. No appointment of inspectors of the second grade shall be made except after noncompetitive promotion examination, as aforesaid.

First grade: Inspectors of this grade shall receive such compensation as is or may hereafter be provided by the State civil service commission in accordance with the provisions of chapter 24, P. L. 1918. Any inspector, after having satisfactorily served as an inspector of the second grade for five years, shall, if recommended by the commissioner of labor, be admitted to a noncompetitive promotion examination, to be conducted by the board of civil service commissioners, and, upon successfully passing such examination, shall be promoted to the first grade. No appointment of inspectors of the first grade shall be made except after a noncompetitive promotion examination, as aforesaid.

Salaries.

Sec. 2. The salary of the assistant commissioner of labor shall be \$3,000 per annum. The assistant commissioner of labor, after having satisfactorily served as such assistant commissioner for five years, shall, if recommended by the commissioner of labor, be admitted to a noncompetitive promotion examination, to be conducted by the board of civil service commissioners, and upon successfully passing such examination shall receive a salary of \$3,500 per annum.

Same.

Sec. 3. The chief inspector of the bureau of structural inspection, the chief inspector of the bureau of electrical equipment, the chief inspector of the bureau of hygiene and sanitation, and the chief of the bureau of industrial statistics shall each receive a salary of \$2,500 per annum. The chief of any of the above-named bureaus, after having satisfactorily served as chief of such bureau for five years, shall, if recommended by the commissioner of labor, be admitted to a noncompetitive promotion examination, to be conducted by the board of civil service commissioners, and, upon successfully passing such examination, shall receive a salary of \$3,000 per annum.

Expenses.

Sec. 4. The inspectors in the employ of the department of labor, the assistant commissioner of labor and the chiefs of the bureaus above mentioned shall, in addition to the annual salaries received by them, receive the expenses incurred by them in the performance of their duties.

Status.

All inspectors now in the employ of the department of labor shall be classified as inspectors of the third grade and shall be considered, for the purposes of this act, to have been inspectors of the third grade from the date of their original appointments as inspectors: *Provided, however,* That nothing in this act contained shall operate to reduce the salary of any inspector now employed by the department of labor.

Term.

The period of service of the assistant commissioner of labor and the chiefs of the bureaus above mentioned, now in the employ of the department of labor, shall, for the purposes of this

act, run from the appointment of such persons as assistant commissioner or chiefs of the bureaus herein named, as the case may be.

Approved March 19, 1917.

ACTS OF 1920.

CHAPTER 334.—*Industrial safety museum—Department of labor.*

SECTION 1. The department of labor may establish in the building known as 571 Jersey Avenue, Jersey City, now under lease by the said department of labor, or at any other location it may deem advisable, a State industrial safety museum in which may be installed such exhibits as said department of labor shall approve to further the standardization of safety and economic stability in manufactories. Museum authorized.

SEC. 2. Said museum shall furnish information by means of said exhibits, which may include practical equipment appliances and devices, photographs, blue prints, engineering data, reports, statistics, and lectures on the production and personnel standards now successfully operative in this country and abroad, covering the problems of— Purposes.

Factory construction and plant layout;  
 Fire prevention and protection;  
 Elevator installation and protection;  
 Electrical equipment;  
 Elimination of boiler-room hazards;  
 Natural and artificial lighting methods;  
 Machine safeguarding and accident reduction;  
 Natural and mechanical ventilation;  
 Fan removal of dusts, fumes, and excessive humidity;  
 Shop hygiene;  
 The installation of betterment provisions, including toilet, wash, dressing and lunch room facilities;  
 First aid and hospital equipment;  
 Industrial training in vestibule schools and shops;  
 The development of technical and shop library service;  
 The reduction of the labor turnover by means of approved employment methods, shop relations, Americanization activities, and insurance benefits;  
 The stabilizing of working forces through improved transportation and housing facilities;  
 and such other safety and industrial problems as the said department of labor shall from time to time determine.

SEC. 3. The commissioner of labor shall appoint and be an ex officio member of an administrative committee consisting of the director of the museum as chairman and at least one representative each of a chamber of commerce, a compensation insurance company, an accident insurance company, a life insurance company, a fire insurance company, a representative of labor, and such additional representatives of the manufacturers and safety and conservation organizations of the State as may be deemed expedient for insuring the greatest usefulness of said museum, all of whom excepting the director shall serve without salary, who shall conduct said museum within the jurisdiction of said department of labor. Administration.

Approved April 21, 1920.

[The personnel of the department of labor consists of the commissioner, two deputy commissioners, a chief of bureau for each of the various bureaus, 17 general factory inspectors, 2 mine inspectors, 2 bakery inspectors, and about 30 clerks and stenographers.]

## NEW MEXICO.

[The State of New Mexico has no bureau of labor or corresponding office. The only labor official of the State is a mine inspector, charged with the enforcement of the mining laws of the State.]

## NEW YORK.

### ACTS OF 1921.

#### CHAPTER 50.—ARTICLE II.—*Department of labor.*

- Department of labor.** SECTION 10. The department of labor is continued. The head of the department shall be the industrial commissioner. The industrial commissioner shall be appointed by the governor, by and with the advice and consent of the senate. The term of office of the commissioner shall be four years, except that the term of the commissioner first appointed hereunder shall expire January first, nineteen hundred and twenty-five.
- Industrial commissioner.**
- Deputy commissioner.** Sec. 11. There shall be a deputy commissioner, who shall be appointed by and removed at the pleasure of the commissioner.
- Industrial board.** Sec. 12. There shall be in the department an industrial board consisting of three members. The members of such board shall be appointed by the governor, by and with the advice and consent of the senate, one of whom shall be designated by the governor as chairman. Upon the appointment of a successor to the chairman the governor shall designate such successor or other member of the board as chairman. The term of office of a member of such board shall be six years, except that the terms of the members first appointed shall expire, one on January first, nineteen hundred and twenty-three, one on January first, nineteen hundred and twenty-five, and one on January first, nineteen hundred and twenty-seven.
- Oaths.** Sec. 13. The industrial commissioner, members of the industrial board, and the deputy commissioner shall, before entering upon the duties of their office, take and subscribe the constitutional oath of office. Such oaths shall be filed in the office of the secretary of state.
- Offices.** Sec. 14. The principal office of the department shall be in the city of Albany in rooms designated by the trustees of public buildings as provided by law. There shall be a branch office in the city of New York and in such other cities of the State as the commissioner may determine.
- Seal.** Sec. 15. The commissioner may adopt a seal of the department and require that it be used for the authentication of orders and proceedings and for such other purposes as he may prescribe.
- Vacancies and removals.** Sec. 16. If a vacancy occurs otherwise than by expiration of term in the office of the commissioner or of a member of the industrial board it shall be filled by appointment for the unexpired term. The governor may remove the commissioner or a member of the industrial board for inefficiency, neglect of duty, or misconduct in office after giving him a copy of the charges and an opportunity of being publicly heard in person or by counsel on not less than ten days' notice. If a commissioner or a member of the industrial board be removed the governor shall file with the secretary of state a record of his proceedings in respect of such removal and his findings thereon.

**SEC. 17.** The commissioner and members of the industrial board shall devote their entire time to the duties of their respective offices. The commissioner shall receive an annual salary of eight thousand dollars; each member of the industrial board shall receive an annual salary of eight thousand dollars; and the deputy commissioner shall receive an annual salary of seven thousand dollars. The reasonable and necessary expenses of the department and the reasonable and necessary traveling and other expenses of the commissioner, deputy commissioner, members of the industrial board, and other officers and employees of the department, while actually engaged in the performance of their duties, outside of the city of Albany, or if any such officer or employee be in charge or actually employed at a branch office of the department, the reasonable and necessary traveling and other expenses outside of the place in which such branch office is located, shall be paid by the State treasurer upon the audit of the comptroller, upon vouchers approved by the commissioner.

Salaries and ex-  
penses.

**SEC. 18** (as amended by chapter 642, Acts of 1921). The officers, deputy commissioners, and employees of the department of labor in office when this section takes effect shall continue in office subject to the power of removal or the appointment of their successors as provided in this chapter. There shall be in such department and the commissioner may appoint such heads of divisions or bureaus and such inspectors, investigators, statisticians, and other assistants, and employees as he shall deem necessary for the exercise of the powers and the performance of the duties of the department. The commissioner, notwithstanding the provisions of any other general or special law, saving and excepting the provisions of section twenty-two of the civil service law, may transfer officers or employees from their positions to other positions in the department, or abolish or consolidate such positions, and may remove any officer or employee in the department.

Employees.

**SEC. 19** (as amended by chapter 642, Acts of 1921). The commissioner shall appoint as many persons as may be necessary to be referees to perform the duties prescribed by this section. A referee shall devote his entire time to the duties of his office and shall receive an annual salary to be fixed by the commissioner within the appropriation made therefor. It shall be the duty of a referee, under rules adopted by the industrial board, to hear and determine claims for compensation, and to conduct such hearings and investigations and to make such orders, decisions, and determinations as may be required by any general or special rule or order of the industrial board, under the workmen's compensation law pursuant to the provisions of such law. The decision of a referee on such a claim shall be deemed the decision of the industrial board from the date of the filing thereof in the department unless the industrial board, on its own motion or on application duly made to it, modify or rescind such decision.

Referees.

**SEC. 20.** Existing divisions or bureaus in the department shall continue until changed, consolidated, or abolished pursuant to this section. The commissioner may establish such divisions or bureaus as may be necessary for the administration and operation of the department, under this chapter, and may change, consolidate, or abolish divisions or bureaus. Each division and bureau shall be subject to the supervision and direction of the commissioner, and shall have jurisdiction of such matters, exercise such powers, and perform such duties as may be assigned to it by the commissioner.

Bureaus.

**SEC. 21** (as amended by chapter 642, Acts of 1921). The commissioner shall be the administrative head of the department.

The commissioner

Duties of com-  
missioner.

1. Shall enforce all the provisions of this chapter and of the industrial code except as in this chapter otherwise provided;
2. Shall exercise the powers and perform the duties in relation to the administration of the workmen's compensation law heretofore vested in the industrial commission by chapter six hundred and seventy-four of the laws of nineteen hundred and fifteen, ex-

cept in so far as such powers and duties are vested by this chapter in the industrial board;

3. Shall cause proper inspections to be made of all matters prescribed by this chapter or by the industrial code;

4. Shall cause investigations to be made of the condition of women in industry;

5. Shall inquire into the cause of all strikes, lockouts, and other industrial controversies, and endeavor to effect an amicable settlement thereof, and may create within the department a board to which a controversy between an employer and his employees may be submitted for mediation and arbitration;

6. Shall propose to the industrial board such rules or such changes in such rules as he may deem advisable;

7. May provide for the establishment and maintenance of public employment offices for the purpose of securing employment for men, women, and children;

8. May make investigations, collect and compile statistical information and report upon the conditions of labor generally and upon all matters relating to the enforcement and effect of the provisions of this chapter and of the rules thereunder;

9. May enforce any lawful municipal ordinance, by-law, or regulation relating to any place affected by the provisions of this chapter, not in conflict with the provisions of this chapter or of the industrial code;

10. May investigate the condition of aliens relative to their employment in industry.

**Review.**

SEC. 22. The commissioner may sit with the industrial board in the consideration of any matter except reviews under the provisions of the workmen's compensation law; but shall not have a vote upon any such matter. He shall be the custodian of the records of the board.

**Regulations.**

SEC. 23. The commissioner may make, amend, and repeal regulations necessary for the internal administration of the department, and not in conflict with the rules adopted by the industrial board pursuant to this chapter for the enforcement of the labor law. Such regulations shall not be deemed rules within the meaning of this chapter unless the context otherwise requires.

**Delegation of powers.**

SEC. 24. The commissioner may by order filed in the department delegate any of his powers to or direct any of his duties to be performed by the deputy commissioner or a head of a division or bureau of such department.

**Inspection.**

SEC. 25. The commissioner or the officers and employees of the department shall inspect every place which is, or which they have reasonable cause to believe is, affected by the provisions of this chapter, and they may in the discharge of their duties enter any such places.

**Books and papers.**

SEC. 26. All papers, books, records, or other documents required to be kept by the provisions of this chapter or of the workmen's compensation law or of the industrial code shall at all times be open for the inspection of the commissioner and the officers and employees of the department, and the persons in charge thereof shall afford every reasonable facility for their examination and permit copies to be made when required by the commissioner.

**Powers of industrial board.**

SEC. 27 (as amended by chapter 642, acts of 1921). The industrial board shall have power to make, amend, and repeal rules for carrying into effect the provisions of this chapter, applying such provisions to specific conditions and prescribing means, methods, and practices to effectuate such provisions. It shall have power to hear and determine all claims for compensation under the workmen's compensation law in the manner provided by this chapter or the workmen's compensation law \* \* \*.

**Rules.**

SEC. 28. Rules of the industrial board may be made for—

1. The proper sanitation in all places to which this chapter applies and for guarding against and minimizing fire hazards, personal injuries and diseases in all places to which this chapter applies with respect to:

a. The construction, alteration, equipment, and maintenance of all such places, including the conversion of structures into factories, factory buildings, and mercantile establishments;

b. The arrangement and guarding of machinery and the storing and keeping of property and articles;

c. The places where and the methods and operation by which trades and occupations may be conducted and the conduct of employers, employees, and other persons;

It being the policy and intent of this chapter that all places to which it applies shall be so constructed, equipped, arranged, operated, and conducted in all respects as to provide reasonable and adequate protection to the lives, health, and safety of all persons employed therein and frequenting the same, and that the board shall from time to time make such rules as will effectuate such policy and intent.

2. Whenever the board finds that any industry, trade, occupation, or process involves such elements of danger to the lives, health, or safety of persons employed therein as to require special regulation for the protection of such persons, the board may make special rules to guard against such elements of danger by establishing requirements as to temperature, humidity, the removal of dusts, gases, or fumes, by requiring licenses to be applied for and issued by the department as a condition of carrying on any such industry, trade, occupation, or process, by requiring medical inspection and supervision of persons employed or applying for employment, and by other appropriate means.

3. The rules may be limited in their application to certain classes of establishments, places of employment, machines, apparatus, articles, processes, industries, trades, or occupations, or may apply only to those to be constructed, established, installed, or provided in the future.

4. The rules of the board shall have the force and effect of law and shall be enforced in the same manner as the provisions of this chapter.

5. No provision of this chapter specifically conferring powers on the board to make rules shall limit the power conferred by this section.

SEC. 29. The rules of the board shall constitute the industrial code, and until amended or repealed, the rules of the industrial commission continued in force by this chapter shall constitute the industrial code, and be deemed to have been adopted or made by the industrial board for the purposes in such rules provided. At least two affirmative votes shall be necessary for the adoption, amendment, or repeal of any rule. Before any rule is adopted, amended, or repealed there shall be a public hearing thereon, notice of which shall be published at least once, not less than ten days prior thereto, in such newspaper or newspapers as the board may prescribe, and where it affects premises in the city of New York in the City Record of the city of New York. The commissioner may appoint committees composed of employers, employees, and experts to suggest rules or changes therein. Every rule adopted and every amendment or repeal thereof shall be promptly published in the bulletins of the department and where it affects premises in the city of New York in the City Record in the city of New York. The rules and all amendments and repeals thereof shall, unless otherwise prescribed by the board, take effect twenty days after the first publication thereof, and certified copies thereof shall be filed with the secretary of state.

Industrial code.

SEC. 30. If there shall be practical difficulties or unnecessary hardship in carrying out a provision of this chapter or a rule of the board thereunder affecting the construction or alteration of buildings, exits therefrom, the installation of fixtures and apparatus, or of the safeguarding of machinery and prevention of accidents, the board may make a variation from such requirements if the spirit of the provision or rule shall be observed and public safety secured. Any person affected by such provision or rule, or his agent, may petition the board for such variation, stating the

Variation.

- grounds therefor. The board shall fix a day for a hearing on such petition and give notice thereof to the petitioner. If the board shall permit such variation, it shall be in the form of a resolution adopted by at least two votes, and the variation shall apply to all buildings, installations, or conditions where the facts are substantially the same as those stated in the petition. The resolution shall describe the conditions under which the variation shall be permitted and shall be published in the bulletin of the department. Where the variation affects premises or conditions in the city of New York, it shall also be published in the City Record of New York City. A properly indexed record of all variations shall be kept in the office of the department and open to public inspection.
- Information to be given.** SEC. 31. The owner, operator, manager, or lessee of any place affected by the provisions of this chapter, or his agent, superintendent, subordinate, or employee, and any person employing or directing any labor affected by such provision shall, when requested by the commission or board, furnish any information in his possession or under his control which the commissioner or board is authorized to require; shall answer truthfully all questions authorized to be put to him; shall admit the commissioner, a deputy commissioner, or other officer or employee of the department, to any place which is affected by the provisions of this chapter for the purpose of making inspection or enforcing the provisions thereof and the industrial code, and shall render assistance necessary for a proper inspection.
- Obstruction of officers.** SEC. 32. No person shall interfere with, obstruct, or otherwise hinder any officer or employee of the department in the performance of his duties.
- Notice.** SEC. 33. Whenever the commissioner or board or any person affected by the provisions of this chapter is required to give notice in writing to any person, such notice may be given by mailing it in a letter addressed to such person at his last known place of business or by delivering it to him personally. Notice to a partnership may be given to any of the partners and notice to a corporation may be given to any officer or agent thereof upon whom a summons may be served as provided by the Code of Civil Procedure. Whenever an order or demand of the department is required to be served it shall be served in the manner hereinbefore provided for the service of a notice or by delivering it to any person of suitable age and discretion in charge of the premises affected by such order, or if no person is found in charge by affixing a copy thereof conspicuously upon the premises.
- Record of licenses.** SEC. 34. The department shall keep records of all licenses, permits, or certificates issued, revoked, or amended by it and publish lists thereof at such times and in such forms as it may determine.
- Report.** SEC. 35. The commissioner shall make an annual report of the department to the legislature on or before the first day of February.
- Old records.** SEC. 36. All statistics and other documentary matter filed with the department may be destroyed by the commissioner after the expiration of six years from the filing thereof.
- Process.** SEC. 37. All notices or orders shall be given by and in the name of the department by the commissioner, by the industrial board or a member thereof, or by the deputy commissioner or other officer or employee thereunto duly authorized.
- Oaths.** SEC. 38. The commissioner, a member of the industrial board, the deputy commissioner, a referee, and any other officer or employee of the department, if duly authorized by the commissioner, may administer oaths and take affidavits in matters relating to the provisions of this chapter and the workmen's compensation law.
- Hearings.** SEC. 39. The commissioner, the members of the industrial board, the deputy commissioner, and referee shall have power:
1. To issue subpoenas for and compel the attendance of witnesses and the production of books, contracts, papers, documents, and other evidence;

2. To hear testimony and take or cause to be taken depositions of witnesses residing within or without this State in the manner prescribed by law for like depositions in civil actions in the supreme court. Subpoenas and commissions to take testimony shall be issued under the seal of the department.

SEC. 40. Any investigation, inquiry, or hearing which the commissioner or board has power to undertake or to hold may by special authorization be undertaken or held by or before any of the officers of the department, and any decision rendered on such investigation, inquiry, or hearing, when approved and confirmed by the commissioner or board and ordered filed in the office, shall be the order of the department.

Proceedings.

SEC. 41. The commissioner and the board shall not be bound by technical rules of evidence and shall conduct all hearings according to procedure prescribed by them, respectively.

Rules for hearings.

ARTICLE III.

SECTION 110 (as amended by chapter 642, Acts of 1921). 1. Any person in interest, or his duly authorized agent, may petition the industrial board for a review of the validity or reasonableness of any rule or order made under the provisions of this chapter.

Review by industrial board.

2. The petition shall be verified, shall be filed with the commissioner, and shall state the rule or order proposed to be reviewed and in what respects it is claimed to be invalid or unreasonable. Any objections to the rule or order not raised in the petition shall be deemed waived. The board may join in one proceeding all petitions alleging invalidity or unreasonableness of substantially similar rules or orders. The filing of such petition shall operate to stay all proceedings under such rule or order until the determination of such review.

3. The board shall order a hearing, if necessary, to determine the issues raised, or if the issues have been considered in a prior proceeding the board may without hearing confirm its previous determination. Notice of the time and place of hearing shall be given to the petitioner and to such other persons as the board may determine.

4. If the board finds that the rule or order is invalid or unreasonable it shall revoke or amend the same.

5. The decision of the board shall be final, unless within thirty days after it is filed one of the parties commences an action as provided in section one hundred and eleven.

SEC. 111. 1. Any person in interest may bring an action in the supreme court against the department to determine the validity and reasonableness of any provisions of this chapter or of the rules made in pursuance thereof or of any order directing compliance therewith: *Provided*, That no such action to determine the validity and reasonableness of any rule or order shall be brought except as an appeal from the determination of the board as provided in section one hundred and ten.

By courts.

2. If the action is an appeal from a determination of the board it shall file with the clerk of the court a certified copy of the record of its hearings in the matter.

3. The court may refer any issue arising in such action to the board for further consideration. At any time during such action the party appealing may apply to the court without notice for an order directing any question of fact arising upon any issue to be tried and determined by a jury, and the court shall thereupon cause such question to be stated for trial accordingly and the findings of the jury upon such question shall be conclusive. Appeals may be taken from the supreme court to the appellate division of the supreme court and to the court of appeals in such cases, subject to the limitations provided in the Code of Civil Procedure.

SEC. 112. 1. Every provision of this chapter and of the rules made in pursuance thereof, and every order directing compliance

Validity.

therewith, shall be valid, unless declared invalid in a proceeding brought under the provisions of section one hundred and ten. Except as provided in section one hundred and eleven, no court shall have jurisdiction to review or annul any such provision or order or to restrain or interfere with its enforcement.

2. Every such provision, rule, or order shall in a prosecution or action to impose a penalty for its violation be deemed valid unless prior thereto such provision, rule, or order has been revoked or modified by the board or annulled by a court pursuant to sections one hundred and ten and one hundred and eleven, or unless such proceeding is pending, in which case the prosecution or action shall be stayed by the court pending the final determination thereof. If any such prosecution or action is commenced against a defendant who has not previously been served with an order to comply with such provision, or who has been served with such an order but has not had a reasonable opportunity to comply therewith, and if within five days the defendant commences proceedings under the provisions of sections one hundred and ten and one hundred and eleven, the prosecution or action shall be stayed as if such proceeding were pending at the time it was commenced.

[The personnel of the department of labor consists of the commissioner, a deputy, three assistants to the commissioner, three members of the industrial board, a secretary and assistants, and statisticians, clerks, inspectors, investigators, etc., in excess of 700 employees and officials, as shown by the latest report available.]

NORTH CAROLINA.

CONSOLIDATED STATUTES—1919.

*Department of labor and printing.*

SECTION 7309. A department of labor and printing is hereby created and established. The duties of the department shall be exercised and discharged by a commissioner, who shall be designated as commissioner of labor and printing, and an assistant commissioner, who shall be appointed by the commissioner, and who shall be a practical printer.

Department created.

SEC. 7310. The commissioner shall be elected by the people in the same manner as is provided for the election of the secretary of state. His term of office shall be four years. The office of the department shall be kept in the city of Raleigh and same shall be provided for as are other public offices of the State. The assistant commissioner shall perform the duties of the commissioner in his absence from office or in case of a vacancy therein.

Commissioner.

SEC. 7311. The commissioner, aided by the assistant commissioner, shall collect and collate information and statistics concerning labor and its relation to capital, the hours of labor, the earnings of laborers and their educational, moral, and financial condition, and the best means of promoting their mental and moral and material welfare; shall also collect and collate information and statistics concerning the various mining, milling, and manufacturing industries in this State, their location, capacity, and actual output of manufactured products, the kind and quantity of raw material annually used by them and the capital invested therein; shall also collect and collate information and statistics concerning the location, estimated and actual horsepower and conditions of valuable water powers, developed and undeveloped, in this State; also concerning farm lands and farming, the kinds, character, and quantity of the annual farm products in this State; also of timber lands and timbers, truck gardening, dairying, and such other information and statistics concerning the agricultural and industrial welfare of the citizens of this State as he may deem to be of interest and benefit to the public, and shall also perform the duties of mine inspector as prescribed in the chapter entitled mines; and shall have the powers and perform the duties in relation to the public printing that are set forth in this chapter.

Duties and powers.

SEC. 7312. The commissioner shall annually publish a report, embodying therein such information and statistics as he may deem expedient and proper, which report shall be printed and paid for by the State just as the reports of other public officers are printed and paid for. The number of copies of such report to be printed to be designated by the commissioner. The distribution of the reports will be paid for from the general fund and not from the appropriation. The commissioner shall send or cause to be sent a copy of the report to every newspaper in this State and a copy to each member of the general assembly; a copy to each of the several State and county officers; a copy to each labor organization in the State, and a copy to any citizen who may apply for the same either in person or by mail, and he may also send a copy to such officers of other States and Territories and to such corporations or individuals in other States and Territories as may apply for the same or as he may think proper. He shall also make a full report to the governor as other State officers are required to do, embodying therein such

Reports.

recommendations as he may deem calculated to promote the efficiency of his department.

[The salary of the commissioner of labor and printing is \$3,000 per annum, of the assistant commissioner \$2,500, a bookkeeper and stock man \$1,800, and a stenographer \$1,200. Traveling expenses are also allowed while on duty.

An act of 1923, approved March 2, provides for a "division devoted to the deaf," at the head of which is to be "a competent deaf man," who may also assist in other duties as assigned by the commissioner.]

## NORTH DAKOTA.

### CONSTITUTION.

#### *Department of agriculture and labor—Commissioner.*

SECTION 82. There shall be chosen by the qualified electors of the State at the times and places of choosing members of the legislative assembly, \* \* \* one commissioner of agriculture and labor, who shall have attained the age of twenty-five years, shall be citizens of the United States, and shall have the qualifications of State electors. They shall severally hold their offices at the seat of government, for the term of two years and until their successors are elected and duly qualified. \* \* \*

Commissioner  
to be elected.

#### REVISED CODES OF 1913.

#### *POLITICAL CODE.—Department of agriculture and labor—Commissioner.*

SECTION 163. It shall be the duty of the commissioner of agriculture and labor to collect, systematize, and present in biennial reports to the legislative assembly statistical details relating to all labor departments in the State, such as hours and wages of labor, the estimated number of persons employed by the several industries within the State, the operation of labor-saving machinery and its relation to hand labor, a description of the different kinds of labor organizations in existence in this State, and what they have accomplished in favor of the class for which they were organized. Such statistics may be classified as the commissioner of agriculture and labor deems best.

Duty of commissioner.

SEC. 164. It shall be the duty of all State, county, township, and municipal officers to furnish upon the written request of the commissioner of agriculture all the information in their power necessary to assist in carrying out the objects of this article. For the purpose of obtaining statistics relating to manufactures and mining the commissioner of agriculture shall procure in a manner that may seem best to him, the names and addresses of all the manufacturers and mine owners and operators in the State, and shall transmit by mail to each owner, operator, or manager of each shop, mill, manufacturing establishment, or mine, not later than the first day of July of each year, suitably prepared blanks embodying inquiries into the subjects upon which the commissioner is required or authorized to prepare statistics, which blanks shall be filled out complete and returned to the commissioner not later than the first day of August following. The information so obtained shall be preserved, systematized, and tabulated by the commissioner, but no information concerning the business or affairs of any individual, firm, company, or corporation shall be divulged or in any manner made public by the commissioner or any one in the employ of his office, and any violation of this provision shall subject the party violating to a fine of not more than five hundred dollars or to imprisonment of not more than one year, or both such fine and imprisonment. The refusal or neglect of any such owner, operator, or manager of any shop, mill, manufacturing establishment, or mine to supply the information asked by the commissioner within the time designated shall be construed as a violation of section 165, and shall subject the party so offending to the penalties therein prescribed: *Provided*, That no prosecution shall be begun against such persons for such neglect or refusal until at least twenty days after a second notice and blank shall have been mailed them by the commissioner.

Duty of officials.

Owners of factories, etc.

Penalty.

**Obstructing commissioner.** SEC. 165. Any person who willfully impedes or obstructs the commissioner in the full and free performance of his duties shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine of not less than ten nor more than fifty dollars, or by imprisonment of not less than seven nor more than thirty days in the county jail, or by both. The refusal or neglect of any person for himself or for any person, firm, company, or corporation of which he may be a member, or agent, to furnish the information or statistical statement required to be furnished to assessors, shall be construed to be a violation of the provisions of this section, and it is hereby made the duty of the county auditor to report such violation, with the names and post-office address and place of residence of the violator as furnished him by the assessor to the State's attorney for the county in which such violations occurred, and the State's attorney shall forthwith proceed to enforce the penalty provided in this section against such persons; and he is hereby authorized to subpoena the assessor and such other witnesses as may be necessary, and to introduce the assessor's returns in evidence.

**Powers.** SEC. 166. He shall have power to send for persons, books, and papers whenever in his opinion it is necessary, and he may examine witnesses under oath, being hereby authorized to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in his office.

**Coal mining.** SEC. 170. The commissioner shall report to the legislative assembly the number of coal mines being operated within the State, the number of tons of coal being mined annually, the number of persons employed in coal mining, the wages paid coal miners, and the cost per ton to mine coal at the different mines. The commissioner is hereby authorized to give out to the press of this or other States at any time such parts of any reports in course of preparation as may be sufficiently concluded to admit of publication, or such information regarding the statistics of the State as may in his judgment be of interest or value to the people, the design being to furnish to the people through the press as fresh information regarding the State and its industries and condition as possible without awaiting the official publication through biennial or other reports.

**Reports may be given to press.**

**Salary.** SEC. 171. The commissioner of agriculture and labor shall receive an annual salary of three thousand dollars, and shall reside at the capital of the State.

[The commissioner is also State statistician and head of the free employment service. To assist him there are a deputy commissioner and an office deputy, a chief clerk, and stenographers.]

OHIO.

ACTS OF 1921.

(Page 105.)

Department of industrial relations.

SECTION 154-3. The following administrative departments are created:

\* \* \* \* \*
The department of industrial relations, which shall be administered by the director of industrial relations, hereby created. Department created.

The director of each department shall, subject to the provisions of this chapter, exercise the powers and perform the duties vested by law in such department. Director.

SEC. 154-4. Each director whose office is created by section 154-3 of the General Code shall be appointed by the governor by and with the advice and consent of the senate, and shall hold his office during the pleasure of the governor. Appointment.

SEC. 154-5. In each department there shall be an assistant director, who shall be designated by the director to fill one of the offices within such department, enumerated in section 154-6 of the General Code, or as the head of one of the divisions created within such department as authorized by section 154-8 of the General Code. When a vacancy occurs in the office of director of any department, the assistant director thereof shall act as director of the department until such vacancy is filled. Assistant.

SEC. 154-6. Offices are created within the several departments as follows:

\* \* \* \* \*
In the department of industrial relations chiefs of divisions as follows: Divisions.

- Factory inspection.
Labor statistics.
Mines.

SEC. 154-7. The officers mentioned in sections 154-5 and 154-6 of the General Code shall be appointed by the director of the department in which their offices are respectively created, and shall hold office during the pleasure of such director. Appointment of officers.

SEC. 154-8. The officers mentioned in sections 154-5 and 154-6 of the General Code shall be under the direction, supervision, and control of the directors of their respective departments, and shall perform such duties as such directors shall prescribe. Duties.

SEC. 154-15. The director of each department may, with the approval of the governor, establish and appoint advisory boards to aid in the conduct of the work of his department or any division or divisions thereof. Such advisory boards shall exercise no administrative function, and their members shall receive no compensation, but may receive their actual and necessary expenses. Advisory boards.

SEC. 154-16. Each officer whose office is created by sections 154-3, 154-5, and 154-6 of the General Code shall devote his entire time to the duties of his office, and shall hold no other office or position of profit. In addition to his salary provided by law, each such officer and each member of the boards and commissions in the departments created by this chapter shall be entitled to his actual and necessary expenses incurred in the performance of his official duties. Entire time to be given.

Expenses.

- Offices.** SEC. 154-17. Each department shall maintain a central office in the city of Columbus. The director of each department may, in his discretion and with the approval of the governor, establish and maintain, at places other than the seat of government, branch offices for the conduct of any one or more functions of his department.
- Hours of labor.** SEC. 154-20. All employees in the several departments shall render not less than eight hours of labor each day, Saturday afternoons, Sundays, and days declared by law to be holidays excepted in cases in which, in the judgment of the director, the public service will not thereby be impaired.
- Leave of absence.** Each employee in the several departments shall be entitled during each calendar year to fourteen days' leave of absence with full pay. In special and meritorious cases where to limit the annual leave to fourteen days in any one calendar year would work peculiar hardships, it may, in the discretion of the director of the department, be extended. No employee in the several departments, employed at a fixed compensation, shall be paid for any extra services, unless expressly authorized by law.
- Duties.** SEC. 154-45. The department of industrial relations shall have all powers and perform all duties vested by law in the industrial commission of Ohio, excepting the following:  
Those powers and duties of the commission which it exercises as successor of the State liability board of awards, the State board of arbitration, the board of boiler rules, and in the investigation, ascertainment, and determination of standards, devices, safeguards, and means of protection, \* \* \* which shall continue to be exercised and performed by the industrial commission of Ohio in the manner provided by law for the exercise of such powers and the performance of such duties.
- Industrial commission.** The industrial commission of Ohio shall be a part of the department of industrial relations for administrative purposes in the following respects: The director of industrial relations shall be ex officio the secretary of said commission, shall succeed to and perform all of the duties of the secretary of said commission, and shall exercise all powers of said secretary as provided by law; but such director may designate any employee of the department as acting secretary to perform the duties and exercise the powers of secretary of the commission. All clerical, inspection, and other agencies for the execution of the powers and duties vested in the said industrial commission shall be deemed to be in the department of industrial relations, and the employees thereof shall be deemed to be employees of said department and shall have and exercise all authority vested by law in the employees of such commission. But the industrial commission of Ohio shall have direct supervision and control over, and power of appointment and removal of such employees whose position shall be designated by the governor as fully subject to the authority of such commission.  
The commission may appoint advisers, who shall without compensation assist the commission in the execution of the powers and duties retained by it under this section.

## ACTS OF 1913.

(Page 95.)

*Industrial commission.*

- Membership.** SECTION 871-1 (as amended by act, page 58, Acts of 1919). The industrial commission of Ohio, heretofore created, shall be composed of three members, to be appointed by the governor, with the advice and consent of the senate. Such appointment shall be made to take effect upon the expiration of the present term of each member, and each of such appointments hereafter made shall be for the term of six years. Not more than one of the appointees to such commission shall be a person who, on account of his previous vocation, employment, or affiliations can be classed as a
- Qualifications.**

representative of employers; and not more than one of such appointees shall be a person who, on account of his previous vocation, employment, or affiliations can be classed as a representative of employees; not more than two of the members of said commission shall belong to the same political party.

SEC. 871-2. The governor at any time shall remove any member of the industrial commission of Ohio for inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office.

Removal.

SEC. 871-3. No commissioner shall hold any position of trust or profit, or engage in any occupation or business, interfering or inconsistent with his duties as such commissioner, and no commissioner shall serve on any committee of any political party.

Inconsistent positions.

SEC. 871-4 (as amended by act, page 169, Acts of 1917). Each of the members of the industrial commission of Ohio shall receive an annual salary of five thousand dollars, payable in the same manner as the salaries of other State officers are paid. Before entering upon the duties of his office, each member of said commission shall take and subscribe the constitutional oath of office and shall swear or affirm that he holds no position under any committee of a political party, which oath or affirmation shall be filed in the office of the governor. Each member of said commission shall give a bond in the sum of ten thousand dollars, which bond shall be approved by the governor and filed with the treasurer of state. All employees or deputies of the said commission receiving or disbursing funds of the State shall give bond to the State in amounts and with surety to be approved by said commission.

Salary.

Oath.

Bond.

SEC. 871-5 (as amended by act, page 157, Acts of 1917). The industrial commission of Ohio shall choose one of its members as chairman. A majority of such commission shall constitute a quorum to transact business. No vacancy shall impair the rights of the remaining commissioners to exercise all of the powers of said commission so long as a majority remains; any investigation, inquiry, or hearing which said commission is authorized to hold, or undertake, may be held or undertaken by or before any one member of said commission, or by or before one of its deputies, and every order made by a member thereof, or by one of its duly authorized deputies, when approved and confirmed by a majority of its members, and so shown on its record of proceedings, shall be deemed to be the order of said commission.

Organization.

SEC. 871-6. The commission shall keep and maintain its office in the city of Columbus, Ohio, and shall provide suitable room or rooms, necessary office furniture, supplies, books, periodicals, maps, and appliances as they deem necessary, the expense thereof to be audited and paid in the same manner as other State expenses. The commission may hold sessions in any place within the State of Ohio.

Office.

SEC. 871-7. The commissioners, employees and deputies of the commission shall be entitled to receive from the State their necessary and actual expenses while traveling on business of the commission, either within or without the State of Ohio. Such expenses shall be presented in an account verified by the person who incurred the expense, approved by the chairman of the commission, and shall be audited and paid as other similar expenses are audited and paid.

Expenses.

SEC. 871-8. The commission shall have an official seal for the authentication of its orders and proceedings, upon which seal shall be engraved the words, "The Industrial Commission of Ohio," and such other design as the commission may prescribe; and the courts in this State shall take judicial notice of the seal of the said commission, and in all cases copies of orders, proceedings, or records in the office of the industrial commission of Ohio, certified by the secretary of the said commission under its seal, shall be equal to the original as evidence.

Official seal.

Judicial notice.

SEC. 871-9 (as amended by act, page 157, Acts of 1917). The industrial commission of Ohio shall be in continuous session and

Sessions.

- open for the transaction of business during all business hours of each and every day, excepting Sundays and legal holidays. The sessions of said commission shall be open to the public and shall stand and be adjourned without further notice thereof on its record. All of the proceedings of said commission shall be shown on its record, which shall be a public record, and all voting shall be had by calling each member's name by the secretary, and each member's vote shall be recorded on the record of proceedings as cast. Said commission shall keep a separate record of its proceedings relative to claims coming before it for compensation for injured and the dependents of killed employees, which record shall contain its findings and the award in each such claim for compensation considered by it, and in all such claims the reason or reasons for the allowance or rejection thereof shall be stated in said record. Said commission may hold sessions at or in any place in the State of Ohio.
- Records.** SEC. 871-10. Subject to the provisions of this act, the commission may adopt its own rules of procedure and may change the same from time to time in its discretion.
- Rules of procedure.** SEC. 871-14. The commission is authorized and empowered to employ, promote, and remove a secretary or secretaries, deputies, clerks, stenographers, and other assistants as needed; to fix compensation, and to assign to them their duties. Such employments and compensation to be first approved by the governor.
- Assistants.** SEC. 871-18. Every employer shall furnish to the commission all information required by it to carry into effect the provisions of this act and shall make specific answers to all questions submitted by the commission relative thereto.
- Employer to furnish information.** SEC. 871-19. Any employer receiving from the commission any blanks calling for information required by it to carry into effect the provisions of this act, with directions to fill out the same, shall cause the same to be properly filled out so as to answer fully and correctly each question therein propounded, and in case he is unable to answer any question, he shall give a good and sufficient reason for such failure; and said answers shall be verified under oath by the employer, or by the president, secretary, or other managing officer of the corporation, if the employer is a corporation, and returned to the commission at its office within the period fixed by the commission.
- Blanks to be filled out.** SEC. 871-20. Any commissioner or deputy of the commission may enter any place of employment for the purpose of collecting facts and statistics, examining the provisions made for the health, safety, and welfare of the employees therein, and bring to the attention of every employer any law or any order of the commission, and any failure on the part of such employer to comply therewith. No employer shall refuse to admit any commissioner or deputy of the commission to his place of employment.
- Entering work places.** SEC. 871-21. The industrial commission of Ohio is vested with the power and jurisdiction on and after the first day of September, 1913, to have such supervision of every employment and place of employment and of every other building and establishment in this State as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment and place of employment or building or establishment, to be safe, and requiring the protection of the life, health, safety, and welfare of every employee in such employment or place of employment, and every frequenter of such place of employment, including the power to regulate the hours of labor of employees in such employments and places of employment, with regard to the health and welfare of such employees to such extent as the nature of the employment will reasonably permit, not inconsistent with law.
- Power and jurisdiction.** SEC. 871-22. It shall also be the duty of the industrial commission, and it shall have full power, jurisdiction and authority:
- Appointment of advisers.** (1) To appoint advisers, who shall without compensation, assist the industrial commission in the execution of its duties; to retain and assign to their duty any or all officers, subordinates,

and clerks of the commissioner of labor statistics, the chief inspector of mines, the chief inspector of workshops and factories, the chief examiner of steam engineers, the board of boiler rules, chief inspector of steam boilers, the State board of arbitration and conciliation, and the State liability board of awards.

(2) On and after the first day of September, 1913, to administer and enforce the general laws of this State relating to mines, manufacturing, mechanical, electrical, art and laundering establishments, child labor, employment of minors, explosives, printing, telegraph and telephone offices, railroad depots, hotels, memorial buildings, tenement and apartment houses, schoolhouses, colleges, opera houses, halls, theaters, churches, infirmaries, children's homes, hospitals, medical institutes, asylums, and other buildings used for the assemblage or betterment of people in the State, bakeries, employment offices, stores, intelligence offices and bureaus, manufacturers of cigars, sweat shops, fire escapes, and means of egress from buildings, scaffolds, hoists, ladders, and other matters relating to the erection, repair, alteration, or painting of buildings and structures, employment of females, hours of labor, licensed occupations, and school attendance and all other laws protecting the life, health, safety, and welfare of employees in employments and places of employment, frequenters of places of employment, or relating to the health and safety of persons occupying or assembled in the structures named above, on and after the first day of September, 1913.

Enforcement of laws.

(3) To investigate, ascertain, and on and after the first day of September, 1913, to declare and prescribe what hours of labor, safety devices, safeguards, or other means or methods of protection are best adapted to render the employees of every employment and place of employment and frequenters of every place of employment, safe, and to protect their welfare as required by law or lawful orders, and to establish and maintain museums of safety and hygiene in which shall be exhibited safety devices, safeguards and other means and methods for the protection of life, health, safety, and welfare of employees.

Hours of labor, safety devices, etc.

(4) To ascertain and on and after the first day of September, 1913, to fix such reasonable standards and to prescribe, modify and enforce such reasonable orders for the adoption of safety devices, safeguards, and other means or methods of protection to be as nearly uniform as possible as may be necessary to carry out all laws and lawful orders relative to the protection of the life, health, safety, and welfare of employees in employments and places of employment or frequenters of places of employment.

Fixing standards.

(5) To ascertain, and on and after the first day of September, 1913, fix and order such reasonable standards for the construction, repair, and maintenance of places of employment as shall render them safe.

Same.

(6) To investigate, ascertain, and determine such reasonable classifications of persons, employments, and places of employment as shall be necessary to carry out the purposes of this act.

Classification.

(7) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities, and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings; such rules and regulations shall not be effective until ten days after their publication. A copy of such rules and regulations shall be delivered to every citizen making application therefor, and a copy delivered with every notice of hearing.

Rules and regulations.

(8) To do all in its power to promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees and to avoid the necessity of resorting to lockouts, boycotts, blacklists, discriminations, and legal proceedings in matters of employment. In pursuance of this duty it may appoint temporary boards of arbitration, provide the necessary expenses of such boards, order reasonable compensation not exceeding five dollars per day for each member engaged in such arbitration, prescribe rules of procedure for such arbitration boards, conduct

Arbitration.

investigations and hearings, publish reports and advertisements, and may do all other things convenient and necessary to accomplish the purposes directed in this act. The commission shall designate a deputy to be known as chief mediator and may detail other deputies from time to time to act as assistants for the purpose of executing these provisions. The deputies may act on temporary boards without extra compensation.

Free employ-  
ment agencies.

(9) To establish and conduct free employment agencies, and on and after the first day of September, 1913, to license and supervise the work of private employment offices to do all in its power to bring together employers seeking employees and working people seeking employment, to make known the opportunities for self-employment in this State, to aid in inducing minors to undertake promising skilled employments, and to encourage wage earners to insure themselves against distress from unemployment. It shall investigate the extent and causes of unemployment in the State of Ohio and the remedies therefor in this and other States and countries, and it shall devise and adopt the most efficient means in its power to avoid unemployment, to provide employment, and to prevent distress from involuntary idleness.

Unemployment.

Statistical in-  
formation.

(10) To collect and collate and publish all statistical and other information relating to employees, employers, employments, and places of employment and such other statistics as may be necessary and to make public reports in its judgment necessary.

Licensing steam  
engineers, etc.

(11) On and after September 1, 1913, to examine and license persons who desire to act as steam engineers, and persons who desire to operate steam boilers and persons who desire to act as inspectors of steam boilers; to provide for the scope, conduct, and time of such examinations, to provide for, regulate, and enforce the renewal and revocation of such licenses, to inspect and examine steam boilers, and to make, publish, and enforce rules and regulations and orders for the construction, installation, inspection, and operation of steam boilers and all appliances connected with steam boilers, and to do and require and enforce all things necessary to make such examination, inspection, and requirement efficient.

Offices.

(12) To rent and furnish offices as needed in cities in this State for the conduct of its affairs.

Examination of  
place of employ-  
ment.

SEC. 871-23. (1) Upon petition after the first day of September, 1913, by any person that any employment or place of employment is not safe or is injurious to the welfare of any employee or frequenter, the commission shall proceed, with or without notice, to make such investigation as may be necessary to determine the matter complained of.

Entry of order.

(2) After such hearing as may be necessary the commission may enter such order relative thereto as may be necessary to render such employment or place of employment safe and not injurious to the welfare of the employees therein or frequenters thereof.

Action upon  
own motion.

(3) Whenever the commission shall learn that any employment or place of employment is not safe or is injurious to the welfare of any employee or frequenter, it may of its own motion summarily investigate the same, with or without notice, and issue such order as may be necessary thereto.

Transfer of du-  
ties and powers.

SEC. 871-24. All duties, liabilities, authority, powers, and privileges conferred and imposed by law upon the commissioner of labor statistics, special agents for the commissioner of labor statistics, chief inspector of mines, district inspectors of mines, chief inspector of workshops and factories, first assistant chief inspector of workshops and factories, second assistant chief inspector of workshops and factories, district inspectors of workshops and factories, chief examiner of steam engineers, assistant chief examiner of steam engineers, district examiners of steam engineers, the board of boiler rules, head of the department of the board of boiler rules, and chief inspector of steam boilers, assistant chief inspector of steam boilers, general inspectors of steam boilers, special inspector of steam boilers, State board of arbitra-

tion and conciliation, are hereby imposed upon the Industrial Commission of Ohio and its deputies on and after the first day of September, 1913.

All laws relating to the commissioner of labor statistics, special agents of the commissioner of labor statistics, chief inspector of mines, district inspectors of mines, chief inspector of workshops and factories, first assistant chief inspector of workshops and factories, second assistant chief inspector of workshops and factories, district inspectors of workshops and factories, chief examiner of steam engineers, assistant chief examiner of steam engineers, district examiners of steam engineers, the board of boiler rules, head of the department of the board of boiler rules, and chief inspector of steam boilers, assistant chief inspector of steam boilers, general inspectors of steam boilers, special inspectors of steam boilers, State board of arbitration and conciliation, on and after the first day of September, 1913, shall apply to, relate, and refer to the Industrial Commission of Ohio and its deputies. Qualifications prescribed by law for said officers and their assistants and employees shall be held to apply, wherever applicable to the qualifications of the deputies of the commission assigned to the performance of the duties now cast upon such officers, assistants, and employees.

Laws applicable to the commission.

SEC. 871-25. All orders of the Industrial Commission of Ohio in conformity with law shall be in force and shall be prima facie reasonable and lawful; and all such orders shall be valid and in force and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose pursuant to the provisions of section 41 of this act, or until altered or revoked by the commission.

Orders prima facie lawful.

SEC. 871-26. (1) All general orders shall take effect within thirty days after their publication. Special orders shall take effect as therein directed.

Orders in effect.

(2) The commission shall, upon application of any employer, grant such time as may be reasonably necessary for compliance with any order.

(3) Any person may petition the commission for an extension of time, which the commission shall grant if it finds such extension of time necessary.

SEC. 871-27. (1) Any employer or other person interested, either because of ownership in or occupation of any property affected by any such order or otherwise, may petition for a hearing on the reasonableness and lawfulness of any order of the commission in the manner provided in this act.

Petition for hearing.

(2) Such petition for hearing shall be by verified petition filed with the commission setting out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable or unlawful and every issue to be considered by the commission on the hearing. The petitioner shall be deemed to have finally waived all objection to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition. All hearings of the commission shall be open to the public.

(3) Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the commission shall determine the same by confirming, without hearing, its previous determination, or, if such hearing is necessary to determine the issues raised, the commission shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the commission may find directly interested in such decision.

Procedure.

(4) Upon such investigation, if it shall be found that the order complained of is unlawful or unreasonable, the commission shall substitute therefor such other order as shall be lawful and reasonable.

**Extension of time.** (5) Whenever at the time of final determination upon such hearing it shall be found that further time is reasonably necessary for compliance with the order of the commission, the commission shall grant such time as may be reasonably necessary for such compliance.

**Powers of local officers.** SEC. 871-28. (1) Nothing contained in this act shall be construed to deprive the council of any city or village or any board of trustees or officer of any city or village of any power or jurisdiction over or relative to any place of employment: *Provided*, That whenever the industrial commission of Ohio shall, by an order fix a standard of safety or any hygienic condition for employments or places of employment, such order shall, upon the filing by the commission of a copy thereof with the clerk of the village or city to which it may apply, be held to amend or modify any similar conflicting local order in any particular matters governed by said order. Thereafter no local officer shall make or enforce any order contrary thereto.

**Local orders in conflict.** (2) Any person affected by any local order in conflict with an order of the commission may, in the manner provided in this act, petition the industrial commission for a hearing on the ground that such local order is unreasonable and in conflict with the order of the commission. The petition for such hearing shall conform to the requirements set forth for a petition in section 27 of this act.

**Hearings.** (3) Upon receipt of such petition the commission shall order a hearing thereon, to consider and determine the issues raised by such appeal, such hearing to be held in the village or city where the local order appealed from was made. Notice of the time and place of such hearing shall be given to the petitioner and such other persons as the commission may find directly interested in such decision, including the clerk of the village, or the mayor of the village or city from which such appeal came. If upon such investigation it shall be found that the local order appealed from is unreasonable and in conflict with the order of the commission, the commission may modify its order and shall substitute for the local order appealed from such order as shall be reasonable and legal in the premises, and thereafter the said local order shall, in such particulars, be void and of no effect.

**Action to set aside orders.** SEC. 871-29. No action, proceeding or suit to set aside, vacate or amend any order of the commission, or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have applied to the commission for a hearing thereon at the time and as provided in section 27 of this act, and in the petition therefor shall have raised every issue raised in such action.

Every order of the commission shall, in every prosecution for violation thereof, be conclusively presumed to be just, reasonable and lawful, unless prior to the institution of the prosecution for such violation an action shall have been brought to vacate and set aside such order, as provided in section 41 of this act.

**Oaths and witnesses.** SEC. 871-30. Each of the commissioners and the secretary of the commission for the purposes mentioned in this act shall have power to administer oaths, certify to official acts, issue subpoenas, compel attendance of witnesses, and the production of papers, books, accounts, documents, and testimony. In case of the failure of any person to comply with any order of the commission or any subpoena lawfully issued, or upon the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the common pleas judge of any county in this State on the application of a commissioner, to compel obedience by attachment proceeding for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

**Fees and mileage.** SEC. 871-31. Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in the court of common pleas, which shall be audited and paid by the State

out of the State treasury in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the chairman of the commission. But no witness subpoenaed at the instance of the parties other than the commission shall be entitled to compensation from the State for attendance or travel, unless the commission shall certify that his testimony was material to the matter investigated.

SEC. 871-32. The commission or any party may in any investigation cause deposition of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions.

SEC. 871-33. A full and complete record shall be kept of all proceedings had before the commission on any investigation, and all testimony shall be taken down by a stenographer appointed by the commission.

SEC. 871-34. Publication of rules and orders of the commission shall be made by the commission in pamphlet form to be furnished on demand at the office of the commission. The expense of publication shall be audited and paid as are other expenses of the commission.

SEC. 871-35. (1) For the purpose of making any investigation with regard to any employment or place of employment, the commission shall have power to appoint, by an order in writing, any member of the commission, any deputy, who is a citizen of the State, or any other competent person, who is a resident of the State, as an agent whose duty shall be prescribed in such order.

(2) In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this act to the commission and the same powers as a master commissioner appointed by a court of common pleas with regard to taking testimony.

(3) The commission may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agents the taking of all testimony bearing upon any investigation or hearing. The decision of the commission shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and shall not preclude the taking of further testimony if the commission so orders, nor further investigation.

SEC. 871-36. The commission shall have the authority to direct any deputy who is a citizen to act as special prosecutor in any action, proceeding, investigation, hearing, or trial relating to matters within its jurisdiction.

Upon the request of the commission, the attorney general or the prosecuting attorney of the county in which any investigation, hearing, or trial had under the provisions of this act is pending, shall aid therein and prosecute under the supervision of the commission, all necessary actions or proceedings for the enforcement of this act and all other laws of this State relating to the protection of life, health, safety, and welfare, and for the punishment of all violations thereof.

SEC. 871-37. A substantial compliance with the requirements of this act shall be sufficient to give effect to the orders of the commission, and they shall not be declared inoperative, illegal, or void for any omission of a technical nature in respect thereto.

SEC. 871-38. Any employer or other person in interest being dissatisfied with any order of the commission may commence an action in the Supreme Court of Ohio, against the commission as defendant to set aside, vacate, or amend any such order on the ground that the order is unreasonable or unlawful and the supreme court is hereby authorized and vested with exclusive jurisdiction to hear and determine such action. The commission shall be served with summons as in other civil cases. The

Depositions.

Record of proceedings.

Publication of rules and orders.

Agents, etc.

Powers and duties.

Contemporaneous investigation.

Decision.

Special prosecutor.

Attorney general to assist.

Substantial compliance.

Action to set aside or modify order.

- Time of filing answer.** answer of the commission shall be filed within ten days after service of summons upon it and with its answer it shall file a certified transcript of its record in said matter. Upon the filing of said answer said action shall be at issue and shall be advanced and assigned for trial by the court, upon the application of either party, at the earliest possible date.
- Stay of proceedings.** SEC. 871-39. (1) If upon the trial of such action it shall appear that all issues arising in such action have not heretofore been presented to the commission in the petition filed as provided in section 27 of this act, or that the commission has not theretofore had ample opportunity to hear and determine any of the issues raised in said act, or has for any reason not in fact heard and determined the issues raised, the court shall, before proceeding to render judgment, unless the parties to such action stipulate to the contrary, transmit to the commission a full statement of such issue or issues not adequately considered and shall stay further proceedings in such action for fifteen days from the date of such transmission and may thereafter grant such further stay as may be necessary.
- Altering, etc., orders.** (2) Upon the receipt of such statement, the commission shall consider the issues not theretofore considered, and may alter, modify, amend, or rescind its order complained of in said action, and shall report its order thereon to said court within ten days from the receipt of the statement from the court for further hearing and consideration.
- (3) The court shall thereupon order such amendment or other proceeding as may be necessary to raise the issues as changed by such modification of order as may have been made by the commission upon the hearing, if any such modification has in fact been made, and shall thereupon proceed with such action in the manner provided by law for other civil actions.
- What court has jurisdiction.** SEC. 871-40. No court of this State except the supreme court to the extent specified by this act, shall have jurisdiction to review, vacate, set aside, reverse, revise, correct, amend or annul any order of the industrial commission of Ohio, or to suspend or delay the execution or operation thereof or to enjoin, restrain or interfere with the commission in the performance of its official duties: *Provided*, That the writ of mandamus shall lie from the said supreme court to the commission in all proper cases.
- Pendency of action not stay.** SEC. 871-41. The pendency of an action to set aside, vacate or amend an order of the commission shall not of itself stay or suspend the operation of an order of the commission; but, during the pendency of said action the said supreme court in its discretion may stay or suspend, in whole or in part, the operation of the commission's order. But no order so staying or suspending an order of the commission shall be made by the said court otherwise than upon three days' notice and after hearing. In case the order is stayed or suspended the order of the court shall not become effective until a suspending bond first shall have been executed, filed with and approved by the commission, or by the said court or the clerk thereof, payable to the State of Ohio, and sufficient in amount and security to insure the prompt payment by the party petitioning to set aside, vacate or amend such order of all damages caused by the delay in the enforcement of the order of the commission.
- Bond.**
- Preference of actions.** SEC. 871-42. All actions and proceedings under this act, and all actions or proceedings to which the industrial commission of Ohio or this State of Ohio may be parties, and in which any question arises under this act, or under or concerning any order of the industrial commission, shall be preferred over all other civil cases, except election causes and causes involving or affecting the public utilities commission of Ohio, irrespective of position on the calendar. The same preference shall be granted upon application of the attorney of the industrial commission in any action or proceeding in which he may be allowed to intervene.
- Violations.** SEC. 871-43. If any employer, employee or other person shall violate any provision of this act or shall do any act prohibited

by this act or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or fail, neglect or refuse to obey any lawful order given or made by the commission, or any judgment or decree made by any court in connection with the provisions of this act, for each such violation, failure or refusal such employer or other person shall be fined not less than fifty dollars nor more than one thousand dollars for the first offense and not less than one hundred nor more than five thousand dollars for each subsequent offense.

SEC. 871-44. Every day during which any person, persons or corporations, or any officer, agent, or employee thereof shall fail to observe and comply with any order of the commission, or to perform any duty enjoined by this act shall constitute a separate and distinct violation of such order or said section as the case may be. Each day a violation.

SEC. 871-45. The sections of this act, and every part of such sections, are hereby declared to be independent sections, and parts of sections and the holding of any section or part thereof to be void or ineffective shall not affect any other section or part thereof. Provisions severable.

SEC. 2250 (as amended by act, page 105, Acts of 1921). The annual salaries of the appointive State officers and employees herein enumerated shall be as follows: Salaries.

- \* \* \* \* \*
- Department of industrial relations:
- Director of industrial relations, six thousand five hundred dollars.
- Chief of division of factory inspection, three thousand six hundred dollars.
- Chief of division of labor statistics, three thousand dollars.
- Chief of division of mines, three thousand six hundred dollars.
- \* \* \* \* \*

[The department of industrial relations consists of a director, assistant director, the three members of the industrial commission, and a chief of each of the divisions of labor statistics, factory inspection, boiler inspection, and mines. Appropriations provide for 39 factory, etc., inspectors, 35 deputies in mine, boiler, and steam engineer divisions, 7 superintendents of employment offices, and approximately 100 clerks, etc.]

**OKLAHOMA.**  
**CONSTITUTION.**

*Department of labor.*

- Department created.** SECTION 20. A department of labor is hereby created to be under the control of a commissioner of labor who shall be elected by the people, whose term of office shall be four years, and whose duties shall be prescribed by law.
- Arbitration.** SEC. 21. The legislature shall create a board of arbitration and conciliation in the department of labor and the commissioner of labor shall be ex officio chairman.

**COMPILED STATUTES—1921.**

*Department of labor—Commissioner.*

- Duties of commissioner.** SECTION 7164. The duties and scope of the commissioner of labor is to carry into effect all laws in relation to labor, passed by the legislature, in regard to the transportation, mechanical, and manufacturing industries of the State; to supervise the work of the different branches of his department, which shall be divided into four bureaus, as follows: Statistics; arbitration, and conciliation; free employment and factory inspection. He shall appoint all officers, clerks, and employees in the department of labor; to collect, assort, and systematize reports of all persons, firms, or corporations required to report to the commissioner of labor annually, and present the same to the legislature at the following session thereof, to compile statistical detailed reports relating to the commercial, industrial, educational, and sanitary conditions of the people, included in the mining, transportation, transmission, commercial, mechanical, and manufacturing industries of the State; he may administer oaths, issue subpoenas for the attendance of witnesses, and take testimony in all matters relating to the proper enforcement of all laws over which he has supervision under this act. He shall also give bond of approved security in the sum of ten thousand dollars (\$10,000), the same to be approved by the governor, for the faithful performance of his duties as defined by the laws passed by the legislature.
- Bureaus.**
- Reports.**
- Bond.**
- Assistants.** SEC. 7165. The commissioner of labor is hereby authorized to appoint an assistant at a salary of fifteen hundred dollars (\$1,500) per annum, payable monthly, who shall act as his deputy, if by reason of sickness, absence, or for other cause the commissioner of labor is temporarily unable to perform the duties of his office, and said assistant shall perform the duties of the office of commissioner of labor until such disability ceases and said assistant shall act as secretary to the board of arbitration and conciliation. He is also authorized to appoint one statistical clerk at a salary of fifteen hundred dollars (\$1,500) per annum, payable monthly; a deputy State factory inspector, who shall be under his supervision, and whose term of office shall be during the term of the commissioner of labor, unless sooner removed for cause, and who shall receive a salary of fifteen hundred dollars (\$1,500) per annum, payable monthly, and one stenographer, at a salary of nine hundred dollars (\$900) per annum, payable monthly.

SEC. 7166. No person shall interfere with, obstruct, or hinder by force or otherwise the commissioner of labor, his deputies, assistants, or special agents, or factory inspectors while in the performance of their duties, or refuse to properly answer questions asked by such officers pertaining to the laws over which he has supervision under the provisions of this act, or refuse them admittance to any place where and when labor is being performed which is affected by the provisions of this act. Hindering commissioner.

[The organization comprises a commissioner, assistant commissioner, five inspectors of factories, etc., four superintendents of free employment offices, statistician, stenographer, and provision for temporary employees.]

49735°—23—8

## OREGON.

### LAWS—1920.

#### *Bureau of labor.*

**Bureau estab-  
lished.** SECTION 6660. There is hereby established a separate and distinct department in this State, to be known as the "bureau of labor statistics and inspector of factories and workshops," to be in charge and under control of a commissioner of the bureau of labor statistics, which office is hereby created.

**Commissioner.** SEC. 6661. At the general election in the year 1906, there shall be elected, as other State officers are elected, a citizen of the State of Oregon, who has been a resident of the State over five years, to fill the office of commissioner of labor statistics and inspector of factories and workshops, whose term of office shall be four years and until his successor shall be elected and qualified. At the general election every fourth year thereafter there shall be elected a commissioner of labor statistics and inspector of workshops and factories, whose term of office shall be four years and until his successor is elected and has qualified.

**Duties.** SEC. 6662. It shall be the duty of such officer to cause to be enforced all the laws regulating the employment of children, minors, and women; all laws established for the protection of the health, lives, and limbs of operatives in workshops, factories, mills, and other places, and all laws enacted for the protection of the working classes; laws which declare it to be a misdemeanor on the part of the employers to require as a condition of employment the surrender of any rights of citizenship; laws regulating and prescribing the qualifications of persons in trades and handicrafts, and similar laws now in force or hereafter to be enacted. It shall also be the duty of the officers to collect, assort, arrange, and present, in biennial reports to the legislature, on or before the first Monday in January, statistical details relating to all the departments of labor in the State; to the subject of corporations, strikes or other labor difficulties; to trade-unions and other labor organizations, and their effect upon labor or capital; the number and condition of the Japanese and Chinese in the State, their social and sanitary habits; number of married and of single; the number employed and the nature of their employment; the average wages per day at each employment and the gross amount yearly; the amount expended by them in rent, food, and clothing, and in what proportion such amounts are expended for foreign and home productions, respectively; to what extent their employment comes in competition with the white industrial classes of the State; and to such other matters relating to the commercial, industrial, social, educational, moral, and sanitary conditions of the laboring classes, and the permanent prosperity of the respective industries of the State as the bureau may be able to gather. In its biennial report the bureau shall also give account of all the proceedings of its officers which have been taken in accordance with the provisions of this act, herein referred to, including a statement of all violations of law which have been observed, and the proceedings under the same, and shall join with such amounts [accounts] and such remarks, suggestions and recommendations as the commissioner may deem necessary.

**Information  
confidential.** SEC. 6663. It shall be the duty of every owner, operator, or manager of every factory, workshop, mill, or other establishment, excepting mines, where labor is employed, to make to the bureau,

upon blanks furnished by said bureau, such reports and returns as the said bureau may require, for the purpose of compiling such labor statistics as are authorized by this act, and the owner or business manager shall make such reports and returns within the time prescribed therefor by said commissioner, and shall certify to the correctness of the same. In the report of said bureau no use shall be made of the names of individuals, firms, or corporations supplying the information called for by this section; such information shall be deemed confidential, and not for the purpose of disclosing personal affairs. Any officer, agent, or employee of said bureau violating this provision shall be guilty of a misdemeanor and shall be fined in a sum not exceeding \$500, or be imprisoned for not more than one year in the county jail.

Sec. 6664. Said commissioner shall have the power to issue subpoenas, administer oaths, and take testimony in all matters relating to the duties herein required by such bureau, and such testimony to be taken in some suitable place in the vicinity to which testimony is applicable. Witnesses subpoenaed and testifying before any officer of the said bureau shall be paid the same fees as witnesses before a circuit court, such payment to be made from the fund appropriated for the use of the bureau, and in the manner provided in section 6667 for the payment of other expenses of the bureau. Any person duly subpoenaed under the provisions of this section, who shall willfully neglect or refuse to attend, or testify, at the time and place named in the subpoena, shall be guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail not exceeding thirty days.

Sec. 6665. Said commissioner of the bureau of labor shall have power to enter any factory, mill, office, workshop, or public or private works, at any reasonable time, for the purpose of gathering facts and statistics, such as are contemplated by this act; and to examine into the methods of protection from danger to employees, and the sanitary conditions in and around such buildings and places, and make a record thereof; and any owner or occupant of said factory, mill, office, or workshop, or public or private works, or his agent, or agents, who shall refuse to allow an inspector or employee of said bureau to enter shall be guilty of a misdemeanor, and, upon conviction thereof, before any court of competent jurisdiction, shall be punished by a fine of not less than \$25 nor more than \$100, or be imprisoned in the county jail not to exceed ninety days for each and every offense.

Sec. 6666. At the expiration of two years all records, schedules, and papers accumulating in said bureau that may be considered of no value by the commissioner may be destroyed: *Provided*, The authority of the governor be first obtained for such destruction.

Sec. 6667. The commissioner of the bureau of labor statistics and inspector of workshops and factories shall from and after the first day of January, 1911, receive an annual salary of \$3,000, payable quarterly, and is authorized to incur such expense and employ such clerical aid as may be necessary to carry out the provisions of this act. The secretary of state is hereby authorized to draw warrants on the State treasurer for the payment of such expense upon properly verified vouchers approved by the commissioner: *Provided, however*, That said expense shall not exceed at any time the amount appropriated therefor. Said commissioner shall, before entering upon the duties of his office, execute a bond to the State of Oregon in the sum of \$3,000, conditioned upon the faithful, honest, and impartial performance of his duties under this act, which bond shall be approved by the secretary of state and filed in his office. Such commissioner shall include in his biennial report to the governor and legislature an itemized statement of the expense of the bureau incurred by him.

Powers.

Witnesses.

Entering work places.

Records, etc.

Salary, etc.

Bond.

Salaries.

SEC. 6750 (as amended by chapter 244, Acts of 1921). The salaries of the deputy labor commissioners, required to enforce the provisions of this act, shall be in such amounts as the labor commissioner shall designate, but at no time shall they be higher than the going wages paid to mechanics of like skill and ability, and in no event shall the wages or salary of any such deputy exceed the sum of \$150 in any single month, and they shall be paid in the same manner as the salaries of other State officers are paid, which salaries and expenses of such deputy labor commissioners and the salaries of not more than two clerks or stenographers, whom the labor commissioner is hereby authorized to employ, in his discretion, and all other expenses of every kind incurred in carrying out the provisions of this act, shall be paid from the special factory inspection fund in the same manner as other State salaries and expenses are paid, for which purpose said fund is hereby permanently appropriated.

Fund.

[The staff consists of a commissioner, a deputy commissioner, five deputy labor commissioners and factory inspectors in the field, an electrical inspector, and a board of inspectors of child labor (five persons) appointed by the governor, but working in cooperation with the bureau of labor. The bureau is also charged with the enforcement of the rulings and standards established by the industrial welfare commission for the employment of women and minors.]

PENNSYLVANIA.

ACTS OF 1913.

No. 267.—*Department of labor and industry.*

SECTION 1. There is hereby established a department of labor and industry, the head of which shall be a commissioner of labor and industry, who shall be appointed by the governor, by and with the consent of the senate, and who shall hold office for the term of four years from the date of his appointment, shall appoint, and may at pleasure remove, all officers, clerks, and other employees of the department of labor and industry, except as herein otherwise provided.

Department of  
labor and indus-  
try.  
Commissioner.

[The salary of the chief medical inspector was fixed at \$5,000 by No. 88, Acts of 1915.]

SEC. 13. The industrial board shall have the power to make investigations concerning, and report upon, all matters touching the enforcement and effect of the provisions of all laws of the Commonwealth, the enforcement of which shall now and hereafter be imposed upon the department of labor and industry, and the rules and regulations made by the industrial board in connection therewith; and to subpoena and require the attendance in this Commonwealth of all witnesses, and the production of books and papers pertinent to the said investigation, and to examine them and such public records as it may require in relation to any matter which it has power to investigate. Any witness who refuses to obey a subpoena of the said board, as hereinabove provided for, or who refuses to be sworn or to testify, or who fails or refuses to produce any books, papers, or documents touching any matter under investigation or examination by the said board, or who is guilty of any contempt after being summoned to appear before the said board as above provided, may be punished as for contempt of court; and, for this purpose, application may be made to any court within whose territorial jurisdiction the said contempt took place, and for which purpose the courts of the common pleas of this Commonwealth are hereby given jurisdiction. In the course of such investigation each member of said board shall have power to administer oaths. Each member shall have the further power to make personal investigations of all establishments in this Commonwealth where labor is employed.

SEC. 14. All rooms, buildings, and places in this Commonwealth where labor is employed, or shall hereafter be employed, shall be so constructed, equipped, and arranged, operated, and conducted, in all respects, as to provide reasonable and adequate protection for the life, health, safety, and morals of all persons employed therein. For the carrying into effect of this provision, and the provisions of all the laws of this Commonwealth, the enforcement of which is now or shall hereafter be entrusted to or imposed upon the commissioner or department of labor and industry, the industrial board shall have power to make, alter, amend, and repeal general rules and regulations necessary for applying such provisions to specific conditions, and to prescribe means, methods, and practices to carry into effect and enforce such provisions.

Construction,  
etc., of buildings.

SEC. 15. The rules and regulations of the industrial board, and the amendments and alterations thereof, may embrace all matters and subjects to which power and authority of the depart-

Rules and reg-  
ulations.

ment of labor and industry extends, and shall be distributed to all applicants. Every rule or regulation adopted by the board shall be promptly published in bulletins of the department of labor and industry, and in such daily newspapers as the board may prescribe, and no such rule or regulation shall take effect until thirty days after such publication. Any employer, employee, or other person interested, either because of ownership in or occupation of any property affected by any such order or regulation, or otherwise, may petition for a hearing on the reasonableness of a rule or regulation. Such petition for hearing shall be by verified petition, filed with the said industrial board, setting out specifically and in full detail the rule or regulation upon which a hearing is desired, and the reasons why such rule or regulation is deemed to be unreasonable. All hearings of the board shall be open to the public. Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the industrial board shall determine the same by confirming, without hearing, its previous determination; or, if such hearing is necessary to determine the issue raised, the industrial board shall order a hearing thereon, and consider and determine the matter or matters in question at such time as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner, and to such other persons as the industrial board may find directly interested in such decision.

Violations.

Sec. 16. Every person who violates any of the provisions of this act, or any of the rules or regulations of the industrial board, or who resists or interferes with any officer or agent of the department of labor and industry in the performance of his duties in accordance with the said rules and regulations, shall be deemed guilty of a misdemeanor; and shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars (\$100), or by imprisonment not exceeding one month, or both, at the discretion of the court.

Vesting of powers.

Sec. 23. All of the powers and duties now by law vested in and imposed upon the department of factory inspection, which is hereby abolished, are now hereby vested in the department of labor and industry.

#### ACTS OF 1915.

##### No. 397.—*Commissioner of labor and industry—Inspection of labor camps, etc.*

Sanitary, etc., conditions.

SECTION 18. The commissioner shall inspect all labor camps and housing accommodations for employees, maintained directly or indirectly in connection with any work or place where work is being performed, and all places established for the temporary shelter and care of aliens and unemployed persons, and prescribe minimum standards of sanitation for all such labor camps, accommodations, and temporary quarters.

Aliens.

Sec. 19. The commissioner shall investigate the general industrial, social, and educational welfare and conditions of aliens within the State, for the purpose of cooperating with the various agencies of the State possessing the requisite jurisdiction in securing such remedial action as may be necessary.

The commissioner shall enforce all laws pertaining to the sale of steamship tickets or orders for transportation; and prescribe rules and regulations for the protection of purchasers in the purchase of and cancellation of third-class or steerage tickets, or orders for transportation; investigate conditions prevailing at all docks, ferries, railway stations, and other places where employees or aliens arrive or depart; and, in cooperation with the proper authorities, afford such employees or aliens protection against frauds, crimes, and exploitations; investigate all complaints of employees and aliens with respect to frauds, extortion, and improper practices by any person or corporation,

whether public or private, and present to the proper authorities the results of such investigation for action thereon.

SEC. 20. The commissioner shall have power to issue subpoenas, administer oaths, take affidavits and testimony, in all matters relating to the duties and powers herein prescribed. He shall have power to subpoena any witness or any person; to examine all books, contracts, records, and documents of any person or corporation, and by subpoena duces tecum to compel production thereof.

Powers.

All subpoenas shall be issued in the name of the commissioner, under the seal of the Commonwealth.

All hearings held before the commissioner, or his deputy duly authorized, shall be governed by rules prescribed by the commissioner, who shall not be bound by the technical rules of evidence in the examination of witnesses or in the conduct of such hearings.

Hearings.

SEC. 21. \* \* \* Any person making any false statement or testifying falsely under oath shall be subject to prosecution for perjury, upon the recommendation of the commissioner to the officials having the requisite jurisdiction.

Violations.

Any individual, copartnership, or corporation, or association who shall neglect or refuse to obey any subpoena and give testimony, according to the provisions of this act, or who shall neglect or refuse to answer questions by circular or upon personal application, shall be liable to a penalty of one hundred dollars, to be collected, by order of the commissioner, in an action in which the Commonwealth of Pennsylvania shall be plaintiff, as debts of like amount are collected.

Any person, copartnership, association, or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars, or to undergo imprisonment not exceeding one year, or both, at the discretion of the court; and, in addition thereto, such person, or each of the members of a copartnership association, or each of the directors of the corporation, as the case may be, with guilty knowledge of the fact, may be sentenced to pay a fine of not more than one hundred dollars, or to undergo imprisonment in the jail in the proper county for a period of not exceeding one year, or both, at the discretion of the court.

Approved, June 7, 1915.

ACTS OF 1923.

No. 274.—*Administrative code.—Department of labor and industry.*

SECTION 1. This act shall be known and may be cited as "The Administrative Code."

Title.

SEC. 2. To accomplish the purposes of this act, \* \* \* the following departments, bureaus, divisions, boards, commissions, offices, and agencies of the State Government as now established by law are hereby abolished, namely: \* \* \* chief inspector of the department of labor and industry, bureaus of inspection, of mediation and arbitration, of rehabilitation, of workmen's compensation, and of employment in the department of labor and industry; division of industrial hygiene and engineering; industrial board; manager, assistant manager, actuary, and counsel for the State workmen's insurance board; \* \* \*

Bureaus, etc., abolished.

SEC. 201. The executive and administrative work of this Commonwealth shall be performed by the executive department, \* \* \* by the executive board, \* \* \* by the \* \* \* department of labor and industry, \* \* \*

Executive, etc., departments.

SEC. 202. The following departments, boards, commissions, and offices are hereby placed and made departmental administrative bodies, boards, commissions, or offices, as the case may be, in the

Boards, etc.

respective administrative departments mentioned in the preceding section, as follows:

\* \* \* \* \*  
In the department of labor and industry—Workmen's compensation board, Workmen's compensation referees, State workmen's insurance board.

Advisory boards.

SEC. 203. The following advisory boards and commissions are hereby created and designated in and as parts of the respective departments, as follows:

\* \* \* \* \*  
In the department of labor and industry—Industrial board.

Heads.

SEC. 205. Each administrative department shall have as its head an officer who shall either personally, by deputy, or by the duly authorized agent or employee of the department, and subject at all times to the provisions of this act, exercise the powers and perform the duties by law vested in and imposed upon the department.

(a) The following officers shall be the heads of the administrative departments following their respective titles:

\* \* \* \* \*  
Commissioner of labor and industry, who shall hereafter be known as secretary of labor and industry of the department of labor and industry.

Salary.

SEC. 208. Annual salaries shall be payable in equal semimonthly installments, as follows:

\* \* \* \* \*  
To the secretary of labor and industry, ten thousand dollars;

Bureaus.

SEC. 212. [Authorizes the heads of the administrative departments, subject to the approval of the executive board, to establish such bureaus or divisions "as may be required for the proper conduct of the work."]

Deputies.

SEC. 213. [Authorizes the heads of departments, with the approval of the governor, to appoint and fix the compensation of a deputy or such number of deputies as the executive board shall approve, to perform such duties as may be prescribed by the head of the department, within his authority under the law.]

Appointees.

SEC. 214. [Authorizes heads of departments to appoint and fix the compensation of directors, superintendents, bureau or division chiefs, experts, inspectors, clerks, stenographers, etc., as may be required for the proper conduct of the work of their respective departments, the number and compensation to be subject to the approval of the governor, and after the executive board shall have fixed the standard compensation for any kind, grade, or class of service, compensation of appointees shall be fixed according to such standard.]

Workmen's compensation board.

SEC. 431. The workmen's compensation board shall consist of three members, of whom the governor shall designate one as chairman. The secretary of labor and industry shall be ex officio a member of the board. Two members of the board shall be a quorum and no action of the board shall be valid unless it shall have the concurrence of at least two members. A vacancy on the board shall not impair the right of a quorum to exercise all the rights and perform all the duties of the board.

The secretary of labor and industry, with the approval of the governor, shall appoint a secretary to the workmen's compensation board, who shall receive such salary as the secretary of labor and industry, with the approval of the governor, shall determine.

The chairman of the workmen's compensation board shall receive a salary at the rate of nine thousand dollars per annum. The other members of the board, except the secretary of labor and industry, shall receive salaries at the rate of eight thousand five hundred dollars per annum.

**SEC. 432.** There shall be in the department of labor and industry as many workmen's compensation referees as in the judgment of the governor and of the secretary of labor and industry shall be necessary properly to administer the workmen's compensation laws of the Commonwealth. Such referees shall be subject to the direction and control of the workmen's compensation board. The board shall assign them to the various workmen's compensation districts, and shall prescribe from time to time the duties to be performed by them.

Referees.

Each workmen's compensation referee shall receive a salary at the rate of five thousand dollars per annum.

**SEC. 439.** The advisory boards and commissions created by this article shall be constituted as follows:

\* \* \* \* \*

(d) The industrial board shall consist of the secretary of labor and industry and four additional members, one of whom shall be an employer of labor, one a wage earner, and one a woman. The secretary of labor and industry shall be the chairman of the board.

Industrial board.

Three members of the board shall be a quorum.

The members of the industrial board, other than the chairman, shall receive ten dollars per day while in the performance of their official duties.

(f) The State welfare commission shall consist of nine members, three of whom, as ex officio members, shall be the secretary of welfare, the secretary of labor and industry, and the secretary of health.

Welfare commission.

\* \* \* \* \*

**SEC. 442.** The State workmen's insurance board shall consist of the secretary of labor and industry, who shall be the chairman thereof, the State treasurer, and the insurance commissioner.

Workmen's insurance board.

**SEC. 1701.** The department of labor and industry shall, subject to any inconsistent provisions in this act contained, continue to exercise the powers and perform the duties by law vested in and imposed upon the said department, the several bureaus and divisions thereof, and the industrial board. It shall also exercise such additional powers and perform such additional duties as are vested in and imposed upon it by this act.

Powers and duties.

**SEC. 1702.** The department of labor and industry shall have the power and its duty shall be:

Inspection and administration.

(a) To inspect during reasonable hours and as often as practicable every room, building, or place within this Commonwealth where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth and all buildings in which public assemblies are held, and for this purpose to enter any such room, building, or place.

(b) To receive and examine plans for all buildings more than two stories high, and all places of assembly outside of cities of the first and second classes, and to approve the same, as may now or hereafter be provided by law.

(c) To receive and check plans for elevator installations outside of cities of the first and second classes, and to issue permits for the erection and repair of elevators, as may now or hereafter be provided by law.

(d) To file reports of inspection of elevators received from inspectors employed by the department or from inspectors holding certificates of competency issued by the department.

(e) To inspect boilers and to receive and check reports of inspection of boilers made by inspectors holding certificates of competency issued by the department.

(f) To issue licenses, after examination, to motion-picture projectionists and apprentices, as may now or hereafter be provided by law.

(g) To receive reports of industrial accidents to persons, and to direct the investigation of such accidents and prescribe means for the prevention of similar accidents.

- (h) To issue orders for removing or safeguarding against hazards that may cause accidents to employees, as may now or hereafter be provided by law.
- Investigations.** SEC. 1703. The department of labor and industry shall have the power to make investigations and surveys upon any subject within the jurisdiction of the department, either upon its own initiative or upon the request of the industrial board.
- Statistics.** SEC. 1704. The department of labor and industry shall have the power to collect, compile, and publish statistics relating to labor and industry, to organizations of employees, and to organizations of employers.
- Rules and regulations.** SEC. 1705. Subject to approval by the industrial board, the department of labor and industry shall have the power to make rules and regulations for carrying into effect the laws regulating the labor of persons within this Commonwealth and the construction, ventilation, and equipment of the rooms, buildings, or places where such labor is performed, or where public assemblies are held, and to enforce all such rules and regulations.
- Mediation and arbitration.** SEC. 1706. The department of labor and industry shall have the power and its duty shall be, whenever a difference arises between an employer and his employees with regard to wages, hours, or conditions of employment, to send a representative of the department promptly to the locality in which such difference exists and endeavor by mediation to effect an amicable settlement of the controversy. If such settlement can not be effected and the dispute is submitted for arbitration, the department, in the event of the failure of representatives of employer and employees to name an impartial chairman of the board of arbitration, shall select such chairman to act as such third member.
- Women and children.** SEC. 1707. The department of labor and industry shall have the power and its duty shall be—
- (a) To make studies and investigations of the special problems connected with the labor of women and children.
- (b) To create the necessary organization and to appoint an adequate number of inspectors to enforce the laws and rules and regulations of the department relating to the work of women and children.
- Workmen's compensation.** SEC. 1708. The department of labor and industry shall have the power and its duty shall be—
- (a) To administer and enforce the laws of this Commonwealth as now existing or hereafter enacted relating to workmen's compensation: *Provided, however,* That the workmen's compensation board and the workmen's compensation referees shall perform their respective duties independently of the secretary of labor and industry or any other official of the department, except that all clerical, stenographic, and other assistance required by the workmen's compensation board and the several workmen's compensation referees shall be appointed by the department as provided in this act.
- (b) To receive and classify reports of all accidents and to receive and approve or disapprove agreements and receipts in workmen's compensation cases as provided by law.
- (c) To follow up all cases in which workmen's compensation agreements shall have been filed and see that such agreements are fulfilled in accordance with the provisions thereof and the laws of this Commonwealth.
- (d) To advise injured workmen of their rights under the workmen's compensation laws.
- (e) To receive and refer to the workmen's compensation board claims in contested cases and mail decisions of the workmen's compensation board and of workmen's compensation referees in all contested cases to claimants and defendants.
- (f) To render to the workmen's compensation board any reasonable assistance requested by the board in the conduct of its work.
- (g) To prepare and issue to the auditor general certificates or requisitions for the payment of workmen's compensation to injured employees of the Commonwealth.

SEC. 1709. The department of labor and industry shall have the power: Rehabilitation.

(a) To render aid to persons injured in industrial pursuits, to arrange for medical treatment for such persons, and procure artificial limbs and appliances to enable them to engage in remunerative occupations.

(b) To make surveys to ascertain the number and condition of physically handicapped persons within the Commonwealth.

(c) To cooperate with the department of public instruction in arranging for training courses in the public schools or other educational institutions for persons injured in industrial pursuits, and to arrange for such courses in industrial or agricultural establishments; and

(d) To such extent as the department shall have funds available for the purpose, to provide maintenance for such injured persons during such training in such amounts as may be provided by law.

SEC. 1710. The department of labor and industry shall have the power— Employment and unemployment.

(a) To endeavor to bring together employers seeking employees and applicants for employment.

(b) To supervise all public and private employment agencies.

(c) To report on the extent of unemployment, the remedy therefor, and the means for the prevention thereof.

(d) To establish employment offices or labor exchanges at convenient places throughout the Commonwealth.

(e) To promote the intelligent distribution of labor and, when necessary, to assist in securing transportation for employees desiring to go to places where work is available.

SEC. 1711. Subject to any inconsistent provisions in this act contained, the State workmen's insurance board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board. Workmen's insurance board.

SEC. 1712. Subject to any inconsistent provisions in this act contained, the workmen's compensation board shall continue to exercise the powers and perform the duties by law vested in and imposed upon the said board. Workmen's compensation board.

SEC. 1713. Subject to any inconsistent provisions in this act contained, each workmen's compensation referee shall have the power and his duty shall be to hear such claims for compensation as shall be assigned to him by the workmen's compensation board and to perform such other duties as shall be required of him by the workmen's compensation board or imposed upon him by law. Workmen's compensation referees.

SEC. 1714. The industrial board created by this act shall have the power and its duty shall be: Industrial board.

(a) To meet at least once each month for the purpose of considering such matters as are brought before it or the secretary shall request.

(b) To hold hearings with reference to the application by the department of the laws affecting labor upon appeal either of employees or employers or of the public, and after such hearings to make recommendations to the department.

(c) To approve or disapprove the rules and regulations established by the department of labor and industry and to make suggestions to the department for the formulation of such rules and regulations.

(d) To consider, study, and investigate the conduct of the work of the department of labor and industry. For this purpose the board shall have access at any time to all books, papers, documents, and records pertaining to or belonging to the department, and may require oral or written information from any officer or employee thereof.

SEC. 1803. [Directs the department of health to cooperate with the department of labor and industry in the inspection of the sanitary condition of tenements, lodging, and boarding houses "for the purpose of avoiding any duplication of inspection or overlapping of functions."] Housing inspection.

**PORTO RICO.**

**ACTS OF UNITED STATES CONGRESS, 1916-17.**

**CHAPTER 145.—Department of agriculture and labor.**

- Departments.** SECTION 13. The following executive departments are hereby created: \* \* \* a department of agriculture and labor, the head of which shall be designated as the commissioner of agriculture and labor; \* \* \*
- Duties of commissioner.** SEC. 18. The commissioner of agriculture and labor shall have general charge of such bureaus and branches of government as have been or shall be legally constituted for the study, advancement, and benefit of agricultural and other industries, the chief purpose of this department being to foster, promote, and develop the agricultural interests and the welfare of the wage earners of Porto Rico, to improve their working conditions, and to advance their opportunities for profitable employment, and shall perform such other duties as may be prescribed by law.

**LEGISLATURE OF PORTO RICO—ACTS OF 1921.**

**ACT No. 65.—Bureau of labor.**

- Bureau created.** SECTION 1. There is hereby established in the department of agriculture and labor a bureau of labor under the direction of the chief of the bureau of labor, who shall be appointed by the commissioner of agriculture and labor, and who, upon his induction into office, shall be included in the classified civil service.
- Assistant.** SEC. 2. There shall also be in the bureau of labor an assistant chief, appointed by the commissioner of agriculture and labor, who shall render such services as the chief of the bureau may require and shall act as chief of said bureau in the absence of the chief.
- Duties.** SEC. 3. The chief of the bureau of labor shall collect and collate data relative to labor, and shall report specifically to the commissioner of agriculture and labor on the wages of male and female laborers and the means of improving their material, intellectual, and moral welfare. He shall investigate the causes and facts in connection with controversies and disputes between employers and employees, and shall prepare, collate, and publish labor statistics, and shall issue such reports and bulletins relative to general labor conditions throughout the island of Porto Rico as may from time to time, with the approval of the commissioner of agriculture and labor, be deemed necessary for transmittal to the commissioner of health in regard to the sanitary conditions of all factories, farm or agricultural properties, shops, and sugar or industrial establishments in the island of Porto Rico where laborers are employed.
- Report.** SEC. 4. The chief of the bureau of labor shall render monthly a written report to the commissioner of agriculture and labor, which report shall contain the data collected and collated by him and such recommendations as he may deem pertinent for the development and efficiency of the bureau and for the purposes of section 3 hereof, and which shall be transmitted to the legislature of Porto Rico.
- Duty of employer.** SEC. 5. It shall be the duty of every employer, operator, or manager of any factory, shop, mine, mill, or other establishment where laborers are employed to furnish the bureau of labor, on blanks supplied by said bureau, all such data and reports as said bureau may require for the purpose of compiling the statistics

required by this act, and said employer, operator, or manager shall furnish such reports and data as may be requested by said bureau within a term of not more than thirty (30) days after such employer, operator, or manager has been duly required to furnish such data; but such data and reports as the aforesaid bureau may publish shall not give the names of such persons, firms, or corporations as furnish said data, which shall be deemed absolutely confidential, and any employer, operator, or manager failing to perform the duty required by this section shall be punished by a fine of not to exceed fifty (50) dollars.

SEC. 6. The chief or assistant chief of the bureau of labor shall have power to summon witnesses and to administer oaths in all matters connected with labor laws and with such other duties as may be expressly imposed by any act. Any person refusing to appear when summoned in writing and failing to show justified cause for such nonappearance in order to testify on any fact of which such person has knowledge shall be guilty of a misdemeanor, and upon conviction shall be punished by a competent court by a fine of not to exceed fifty (50) dollars or by confinement in jail for a term of not more than thirty (30) days: *Provided*, That no witness shall be summoned to appear at said investigation in a municipality other than that where his domicile is located.

Witnesses.

SEC. 7. The chief of the bureau of labor, or any inspector thereof, shall have power to enter any factory, mill, or mine by first notifying the chief or person in charge of said establishment, for the purpose of obtaining data or information for the statistics herein required and to examine the methods employed for the protection of employees against accidents and to ascertain and investigate the sanitary conditions of the place where said laborers work; and any employer, manager, or operator of any industry, factory, farm, or agricultural property, mill, mine, or public works, or his agent, who refuses admission thereto of an inspector or employee of said bureau, or who refuses to furnish such information as may be really necessary in the manner prescribed by section 5 of this act shall be guilty of a misdemeanor and punished by a fine of not more than fifty (50) dollars.

Examination of conditions.

SEC. 8. The chief of the bureau of labor, in person or through his duly authorized officials, shall give public lectures and shall strive to advance the welfare of workmen of Porto Rico, improve their working conditions, and promote their opportunities for securing lucrative employment, and may attend laborers' and employers' assemblies or meetings and take part in the debates, should he be invited to do so.

Public lectures.

SEC. 9. In addition to the chief and assistant chief, there shall be one chief clerk, one stenographer, one translator, one file clerk, ten inspectors, and one messenger.

Employees.

The employees of said bureau shall receive such salaries as may be determined in the appropriation act of Porto Rico.

SEC. 10. The chief of the bureau of labor, through the commissioner of agriculture and labor, may request of the heads of departments and of municipal commissioners all the data in the possession of said departments and municipalities which may be of interest to the bureau of labor for carrying out the duties imposed upon him by law.

Data.

SEC. 11. The present officials of the bureau of labor shall continue in office with the same rights and prerogatives as they now have.

SEC. 12. For the purposes of this act the words "employer" and "employee" shall mean—

(a) "Employer" includes any person, whether natural or artificial, who employs one or more persons in any agricultural, industrial, or public-service enterprise, for payment in money or other compensation or remuneration of any kind, and the manager, superintendent, inspector, principal, supervisor, agent, or representative of said person or association of persons.

Definitions.

(b) "Employee" includes any person or persons employed by any employer or who works for him for money, remuneration, or compensation of any kind.

SEC. 13. All the office clerks and inspectors of the bureau of labor shall be appointed by the commissioner of agriculture and labor.

Approved, July 16, 1921.

[The commissioner of the department of labor and industry and the chief of the bureau of labor constitute the reported organization. The appropriation act of 1921 provides for an assistant chief in the bureau of labor, chief clerk and statistician, ten inspectors, and four other office employees.]

## RHODE ISLAND.

### GENERAL LAWS—1909.

#### CHAPTER 80.—*Bureau of industrial statistics—Commissioner.*

SECTION 1. There shall be a commissioner of industrial statistics who shall perform the duties enumerated in this chapter and such others as are or may be from time to time provided by law. At the January session of the general assembly in the year A. D. nineteen hundred and nine, and in every second year thereafter, the governor, with the advice and consent of the senate, shall appoint some person to be commissioner of industrial statistics to succeed the person then holding such office; and the person so appointed shall hold his office until the first day of February in the second year after his appointment. Any vacancy which may occur in said office when the senate is not in session shall be filled by the governor until the next session thereof, when he shall, with the advice and consent of the senate, appoint some person to fill such vacancy for the remainder of the term. The commissioner of industrial statistics shall be ex officio superintendent of the census of the State \* \* \* and in addition thereto he shall collect, arrange, tabulate, and publish, in a report by him to be made to the general assembly annually in January, the facts and statistical details in relation to the condition of labor and business in all mechanical, manufacturing, commercial, and other industrial business of the State, and especially in relation to the social, educational, and sanitary condition of the laboring classes, with such suggestions as he may deem to be proper for the improvement of their condition and the bettering of their advantages for intellectual and moral instruction, together with such other information as he may deem to be useful to the general assembly in the proper performance of its legislative duties in reference to the subjects in regard to which he is required to report.

Commissioner.

SEC. 2. Every employer of labor, and every person engaged in any industrial pursuit, shall give the commissioner of industrial statistics all proper and necessary information to enable him to perform the duties herein required of him, and in default thereof, upon reasonable demand, shall be fined twenty dollars.

Reports of employers.

SEC. 3. [Repealed.]

### ACTS OF 1919.

#### CHAPTER 1741.—*State board of labor—Commissioner.*

SECTION 1. The office created and established under the provisions of section 1 of chapter 80 of the General Laws, entitled "Of the Commissioner of Industrial Statistics," under the name and title of commissioner of industrial statistics, shall from and after the passage of this act be known and described under the name and title of commissioner of labor and the person holding said office of commissioner of industrial statistics at the time of the passage of this act shall thereafter be known and described as the commissioner of labor and shall be vested with all the power and authority and subject to all the duties and liabilities now vested in and imposed upon the commissioner of industrial statistics. In any general law, public law or resolution of the general assembly, and in any document, record, instrument or proceeding authorized by any such law or resolu-

Title changed.

tion, unless the context or subject matter otherwise require, the words "commissioner of industrial statistics" shall be construed to mean the commissioner of labor.

Deputy com-  
missioner.

SEC. 2 (as amended by chapter 1865, Acts of 1920). There shall be a deputy commissioner of labor, who shall receive an annual salary of twenty-three hundred dollars, and the sum of twenty-three hundred dollars is hereby annually appropriated for the purpose of paying such salary. Upon the passage of this act the governor by and with the advice and consent of the senate shall appoint a deputy commissioner of labor who shall be a representative of labor, and the deputy commissioner so appointed shall hold office until the first day of February, A. D. 1922, and in the month of January, A. D. 1922, and in the month of January of every third year thereafter, the governor by and with the advice and consent of the senate shall appoint a deputy commissioner to succeed the deputy commissioner whose term expires. Any vacancy which may occur in said office of deputy commissioner shall be filled by the governor by and with the advice and consent of the senate, if the senate be in session, and if the senate should not then be in session shall be filled by the governor until the next session of the general assembly, when with the advice and consent of the senate he shall appoint a proper person to fill such vacancy. Said deputy commissioner shall act as agent to the labor commissioner in the conduct of investigations of labor conditions, ordered by the labor commissioner and shall perform such other duties as said labor commissioner may direct. He shall act as secretary to the State board of labor as provided in the following section. He shall, under the direction of the said State board of labor, aid and assist any board of mediation and conciliation appointed by said State board of labor under the provisions of section 4 of this chapter.

Board of labor.

SEC. 3. There shall be a State board of labor consisting of the labor commissioner, who shall be chairman of the board, and four other members, two of whom shall be representatives of employers of labor in the State and two of whom shall be representatives of labor in the State, to be appointed as hereinafter provided. Upon the passage of this act the governor, by and with the advice and consent of the senate, shall appoint as members of said board two citizens of the State to hold office until the first day of February, A. D. 1922, and two to hold office until the first day of February, A. D. 1925, and in the month of January, A. D. 1922, and in the month of January in every third year thereafter the governor, by and with the advice and consent of the senate, shall so appoint two members of said board to succeed the members whose term will next expire, and the persons so appointed shall hold office until the first day of February in the sixth year after their appointment. Any vacancy which may occur in said board when the senate is not in session shall be filled by appointment by the governor until the next session thereof, when the governor, by and with the advice and consent of the senate, shall appoint some citizen to fill such vacancy for the unexpired term. The board shall meet at least once a month and at such other times as the commissioner of labor may direct.

Monthly confer-  
ences.

SEC. 4. The commissioner of labor shall report to the board of labor at each of its monthly meetings such matters relating to the interests of labor as may have come to his attention in the discharge of the duties of his office, and it shall be the duty of the board to advise and confer with the commissioner in relation to the administration of the laws of the State relating to labor.

Annual reports.

The board shall report to the general assembly at its January session and present in such report any recommendations it may deem advisable in regard to the administration of such laws, and suggest any changes or amendments to such laws as it may deem desirable. It shall be the duty of the board to do all in its power to promote the voluntary mediation and conciliation of contro-

versies and disputes between employers and employees, and to avoid resort to strikes, lockouts, boycotts, blacklists, discriminations, and legal proceedings in or arising out of such controversies and disputes and matters of employment. In pursuance of this duty, said board may, whenever it deems advisable, but subject to the approval of the governor, appoint a board of mediation and conciliation for the consideration and settlement of such controversies and disputes. The said board shall prescribe rules of procedure for such mediation and conciliation, and the said mediation and conciliation boards shall have the power to conduct investigations, to hold hearings, and to summon witnesses.

Labor disputes.

SEC. 5 (as amended by chapter 2160, Acts of 1922). Said commissioner shall employ such assistants and incur such expenses incident to the proper discharge of the duties of his office as may be necessary, not exceeding five thousand dollars in amount in any one year; but no such assistant shall be paid more than four dollars per day in addition to his necessary traveling expenses, and the salary provided for said commissioner shall be in addition to the compensation fixed by the general assembly for said commissioner for taking the census.

Assistants, etc.

[Chapter 81 of the General Laws provides for the establishment and maintenance of free employment offices under the care and direction of the commissioner of industrial statistics.

Under the law, the department of labor consists of a commissioner and a deputy commissioner, who also acts as secretary of the State labor board.]

49735°—23—9

## SOUTH CAROLINA.

### CODE OF 1912.

#### CIVIL CODE.

##### *Department of agriculture, commerce, and industries.*

- Department created.** SECTION 851. A State department of agriculture, commerce, and industries is created, which shall be charged, as far as possible, with the execution of the work usually devolved upon a bureau of industries, a bureau of agriculture, and a bureau of publicity.
- Commissioner.** SEC. 852 (as amended by act No. 346, Acts of 1912). The chief officer of the said department of agriculture, commerce, and industries shall be denominated the commissioner of agriculture, commerce, and industries. The said commissioner shall have the qualifications of a competent knowledge of agriculture, manufacturing, and general industries, commerce, chemistry, and publicity, and shall be elected, immediately upon the approval of this act, by the qualified electors in the general election now provided by law for the election of State officers of the State government, for a term of two years, and each succeeding two years thereafter beginning on the first day of January, 1913. In case a vacancy should occur the governor shall appoint, for the unexpired term. The commissioner shall be empowered to appoint a competent clerk, whose qualifications shall be in the main the same as those required of the commissioner.
- Salary.** SEC. 853. The compensation of the commissioner of agriculture, commerce, and industries shall be \$1,900 per annum, and that of the clerk \$1,000 per annum, payable monthly by the treasurer, on the warrant of the comptroller general.
- Report.** SEC. 854. The commissioner shall make and submit to the governor, on or before the tenth day of January of each year, a report covering the department's work of the preceding year, and the report shall be transmitted to the general assembly, printed in the same manner as other public documents, or as shall otherwise be ordered.
- Duties.** SEC. 855. The commissioner shall be charged with all work looking to the promotion of agriculture, manufacturing, and other industries, cattle raising, and all matters tending to the industrial development of the State, with the collection and publication of information in regard to localities, character, accessibility, cost and modes of utilization of soils and more specifically to the inducement of capital by the dissemination of information relative to the adventures of soil and climate, and to the natural resources and industrial opportunities offered in this State; that he shall also collect from the farmers and landowners of the State and list information as to lands, stating the number of acres, location, the terms upon which they may be bought; that a land registry shall be kept, and in connection therewith, from time to time publication shall be made, descriptive of such listed agricultural, mineral, forest, and trucking lands and factory sites as may be offered to the department for sale or share, which publication shall be in attractive form, setting forth the county, township, number of acres, names and addresses of owners, and such other information as may be helpful in placing inquiring home seekers in communication with landowners.

SEC. 856. The commissioner shall collect and collate in the form of a handbook of the State, to be issued when practicable, information showing the nature and industrial resources and advantages of the State of South Carolina, dealing with soil, climate, raw and manufactured products, agricultural and horticultural products, textile fabrics, manufacturing industries, mines and mining, native woods, means of transportation, cost of living, the market, and all material and social advantages for those seeking homes and investments in agricultural or manufacturing industries. Handbook of resources, etc.

SEC. 858. In order to facilitate the collection and collation of each [such] information of the resources of the State on all lines, the heads of the several departments of the State government and of the State institutions are hereby required to furnish accurately such information as may be at their command to the commissioner when called upon for the same. The commissioner is hereby empowered to enter manufacturing establishments, chartered by the State, in prosecution of this work, and that the corporations operating same shall furnish such information as may be not injurious to their business. Duties of officials.

SEC. 860. The commissioner of agriculture, commerce, and industries shall not directly or indirectly attempt to bring inimmigrants into the State. Not to bring in immigrants.

SEC. 861. He shall collect, assort, systematize, and present in a report to the governor, on or before the 5th day of January of each year, who shall transmit it to the general assembly, statistical details relating to all departments of labor in this State, such as the hours of labor, cost of living, supply of labor required, estimated numbers of persons depending on daily labor for their support. Said statistics may be classified as follows: Duties.

1. Agriculture.
2. In manufacturing and mechanical industries.
3. In transportation.

[4.] In clerical and all other skilled and unskilled labor not above enumerated.

5. The amount of capital invested in lands, buildings, machinery, material, and means of production and distribution generally.

6. The number, age, sex, and condition of persons employed; the nature of their employment; the number of hours of labor per day, and the wages received in each of the industries and employments enumerated.

7. The sanitary conditions of factories, foundries, machine shops, mercantile establishments, where five or more people are employed as laborers.

8. The number, condition, and nature of employment of the inmates of the State prison, county jails, and reformatory institutions, and to what extent their employment comes in competition with the labor of artisans and laborers outside of these institutions.

9. All such other information in relation to labor as may seem advisable to further the object sought to be obtained by this article.

SEC. 862. The commissioner shall annually, on or before the first day of November, transmit by mail to the owner, operator, or manager of every manufacturing establishment in this State a schedule embodying inquiries as to— Schedule of inquiry.

1. Name of person, partnership, or corporation.
2. Kinds of goods manufactured or business done.
3. Number of partners or stockholders.
4. Capital invested.
5. Average number of persons employed, distinguishing as to sex, adults, and children under sixteen years of age.
6. Total wages, not including salaries of managers, paid during the year, distinguishing as to sex, adults, and children under sixteen years of age.

- Answer to inquiries.**     **SEC. 863.** The owner, operator, or manager of every establishment which is engaged in manufacturing shall answer the inquiries thereon for the twelve months, November 1st to October 31st preceding, and return said schedule to the commissioner on or before the fifth day of December following receipt of said schedule.
- Information to be furnished.**     **SEC. 864.** It shall be the duty of all State and county officials, every employer of labor, and every person engaged in any industrial pursuit, to give to the commissioner, or his agents, all necessary information to enable him to perform the duties herein required of him.
- Powers.**     **SEC. 865.** The commissioner shall have power to send for persons or papers whenever in his opinion it is necessary, and he may examine witnesses under oath, being duly qualified to administer the same in the performance of his duty, and the testimony so taken must be filed and preserved in the office of the commissioner; he and his agents and inspectors shall have free access to all places where five or more people are employed as laborers.
- Names not to be disclosed.**     **SEC. 866.** No use shall be made in the reports of the commissioner of the names of individuals, firms, or corporations supplying the information called for by this article, such information being deemed confidential and not for the purpose of disclosing any person's affairs.
- Inspectors.**     **SEC. 867.** Said commissioner may employ two inspectors, who shall be appointed by the commissioner at a salary of ten hundred dollars each per annum and necessary traveling expenses, not to exceed two hundred dollars each in any one year, to assist him in the discharge of the duties imposed by this article from and including section 861 to the end of this article. The inspectors shall be under the supervision and control of the commissioner.
- Access to buildings.**     **SEC. 868.** The commissioner, his agents and inspectors, may enter all buildings and parts thereof which are subject to the provisions of this article and examine the methods of protection from accidents, the means of escape from fire, the sanitary provisions and the means of ventilation, and may make investigations as to the employment of children and women.
- Water - closets, etc.**     **SEC. 869.** Every factory, mercantile or other establishment or office where two or more males and two or more females are employed together, shall be provided with a sufficient number of separate water-closets, earth closets, or privies, for the use of each sex, and plainly so designated; and no person shall be allowed to use a closet or privy which is provided for persons of other sex. Such water-closets, earth closets, or privies, shall be kept clean and free from disagreeable odors.
- Employment of children.**     **SEC. 870.** It shall be the duty of each corporation or other employer to place in one or more conspicuous places in each room of the factory in which any children under fourteen years of age are employed a notice or notices to the effect that said children are forbidden to clean any gears, cams, or pulleys, or to clean in dangerous proximity thereto, while the same are in motion by aid of steam, water, electricity, or other mechanical power; and no such employer, or its officers, superintendents, overseers, or agents shall knowingly or willfully permit or consent to such children so cleaning the said moving parts.
- Statements as to age, etc.**     **SEC. 871.** Every person, firm, or corporation employing children shall procure from the parent, guardian, or person in custody of said child or children, a signed statement in which shall be recorded the name, birthplace, age, and place of residence of every such child under fourteen years of age, and the same shall be produced for inspection on demand of the commissioner or his agents or inspectors.
- Inspections.**     **SEC. 872.** The inspectors appointed under this article are empowered to visit and inspect, at reasonable hours, and as often as

practicable, the factories, workshops, and other establishments in this State referred to in this article, and shall report to the commissioner the result of their inspections. They shall enforce the provisions of this article and prosecute all violations of the same.

Sec. 873. All blanks and forms required by the commissioner under this article shall be furnished by the comptroller general.

Blanks.

Sec. 874. Inspectors provided for in this article shall keep and furnish to the comptroller general and commissioner itemized statements of necessary expenses incurred in enforcing this article. And all the money paid out under this article shall be on a warrant of the comptroller general.

Expenses.

[The reported organization of the department is the commissioner and a chief inspector.]

## SOUTH DAKOTA.

### REVISED CODE—1919.

#### *Commissioner of immigration.*

- Board con-** **SECTION 10119.** The State board of immigration, heretofore  
**tinued.** created, shall continue to be composed of three members; the  
governor, the secretary of State and the commissioner of school  
and public lands, who shall serve as such without compensation.  
The governor shall be ex officio chairman of such board.
- Commissioner.** **SEC. 10120.** Such board shall appoint a qualified elector of this  
State to be its general executive, who shall be officially known and  
styled commissioner of immigration. Such commissioner shall  
hold office during the pleasure of the board and shall receive  
such compensation as the board shall determine. The person  
so appointed shall qualify by subscribing the constitutional oath  
of office and executing to the State an official bond in the penal  
sum of ten thousand dollars, with sufficient security, to be ap-  
proved, recorded and filed as the official bonds of other State  
officers, conditioned upon the faithful discharge of the duties of  
his office. It shall be the duty of such commissioner, under the  
direction of the board of immigration, to look after and devise  
means to advance the immigration interests of the State and to  
encourage and promote the permanent settlement and improve-  
ment of all sections of the State. He shall prepare, publish  
and distribute, by mail and otherwise, documents and articles of  
reading matter and advertisements designed to convey correct  
and full information on all matters pertaining to the growth and  
development of the agricultural, manufacturing, commercial, and  
mining interests of the State. He may in his discretion, with the  
approval of such board, prepare displays or exhibits of the agri-  
cultural, horticultural and manufactured products and mineral  
specimens of the State for such exhibition, or display as such  
board may direct. He shall attend to all correspondence relat-  
ing to immigration and do all in his power to secure the most  
liberal and extensive advertisement of the resources and oppor-  
tunities of the State. It shall be his duty to encourage the in-  
vestment of capital in agriculture, in mining and other industrial  
pursuits, and to facilitate the coming to the State of persons and  
families seeking locations for new homes.

#### *Industrial commissioner.*

- Who to act.** **SECTION 9464.** The office of the industrial commissioner shall  
continue as heretofore created; the commissioner of immigration  
shall be ex officio industrial commissioner, and such industrial  
commissioner shall have authority and be charged with the duty  
of carrying out and enforcing the provisions of this article [relat-  
ing to workmen's compensation]. He shall also assist employers  
of labor to secure needed laborers, assist laborers to secure posi-  
tions, and cooperate with the United States department of labor,  
and agencies of this State, in maintaining a free employment  
service for bringing employer and laborer together.
- Expenses, etc.** **SEC. 9465.** The actual necessary expenses of the industrial  
commissioner shall be paid by the State, and he shall be provided  
with adequate and necessary office rooms, furniture, equipment,  
and other supplies necessary to the discharge of his duties. The  
commissioner, by and with the consent of the governor, may ap-  
point a deputy and employ such other assistants and clerical help
- Assistants.**

as may be required and fix the compensation of each: *Provided*, That the salary of the deputy shall not exceed fifteen hundred dollars per annum. Such deputy shall possess and exercise all the powers conferred by this article upon the industrial commissioner, and, except as to appointment and salary, the phrase "industrial commission," wherever it occurs in this article, shall be construed to include such deputy. The commissioner shall provide himself with a seal, which shall be used to authenticate his orders, decisions and other proceedings deemed necessary, upon which shall be inscribed the words, "South Dakota Industrial Commissioner." The commissioner shall have the power to remove at any time any person appointed or employed by him. Before entering upon his duties the commissioner shall qualify by taking the constitutional oath of office.

[The commissioner and a deputy constitute the reported organization. An official communication reports no other activities engaged in than those connected with the administration of the compensation law.]

## TENNESSEE.

### ACTS OF 1923.

#### CHAPTER 7.—Administration officials—Department of labor.

##### Powers.

SECTION 55. The department of labor shall have power:

1. To exercise all the rights, powers, and duties vested by law in the chief mine inspector, the mining statistician, the district mine inspectors, and their assistants and employees;
2. To exercise all the rights, powers, and duties vested by law in the workshop and factory inspector, his deputies, assistants, and employees;
3. To supervise the administration of the workmen's compensation law;
4. To inspect hotels now under the supervision of the food and drug inspector;
5. To collect information on the subject of labor, its relation to capital, the hours of labor, and the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity;
6. To visit and inspect during reasonable hours all shops, factories, and mercantile establishments and other places where workmen are employed as often as necessary, and to cause the provisions of law to be enforced therein;
7. To inspect the sanitary conditions, system of sewerage, system of heating, lighting, and ventilating of rooms where persons are employed at labor, and the means of exit in case of fire, or other disaster within or connected with shops and factories;
8. To examine the machinery in and about workshops and factories, to see that it is not located so as to be dangerous to employees when engaged in their ordinary duties;
9. To declare and prescribe what safety devices, safeguards, or other means of protection are well adapted to render employees or places of employment safe;
10. To order such reasonable changes in the construction, maintenance, and repair of places of employment as shall render them safe;
11. To require the performance of any act necessary for the protection of life, health, and safety of employees;
12. To collect and compile reliable data, which, if disseminated, would tend to the development of the State by inducing population and capital to come within its borders.

SEC. 56. The department of labor shall be organized under four divisions, as follows:

##### Divisions.

1. The division of mines, the head of which shall be the chief mine inspector;
2. The division of factory inspection, the head of which shall be the chief factory inspector;
3. The division of fire prevention, the head of which shall be the State fire marshal;
4. The division of workmen's compensation, the head of which shall be the superintendent of workmen's compensation.

The commissioner of labor shall act as the head of the division of fire prevention, or the division of factory inspection, or the division of mines: *Provided*, That no additional compensation

shall be paid the commissioner for acting as head of one of the divisions. In case said commissioner of labor shall act as head of the division of mines, he shall be a person thoroughly conversant with the theory and practice of coal mining, but who is not identified with either coal operators or coal miners.

Approved January 31, 1923.

[The department consists of a commissioner; a secretary; a chief inspector, a special inspector, and four deputy inspectors of factories; a chief inspector and three district inspectors of mines; a hotel inspector; six assistants in the division of fire prevention; a superintendent of division of workmen's compensation; and five clerks and stenographers.]

## TEXAS.

### REVISED CIVIL STATUTES—1911.

#### *Bureau of labor statistics.*

**Bureau created.** ARTICLE 5235. The bureau of labor statistics shall be under the charge and control of a commissioner of labor statistics.

**Commissioner.** ART. 5236. The commissioner of labor statistics shall be appointed by the governor, whose term of office shall begin on the first day of February of every odd-numbered year, and shall continue for two years, and until his successor is appointed and qualified. The commissioner may be removed for cause by the governor, record thereof being made in his office [sic], and any vacancy shall be filled in the same manner as the original appointment.

**Bond.** Said commissioner shall give bond in the sum of two thousand dollars, with sureties to be approved by the governor, conditioned for the faithful discharge of the duties of his office, and he shall also take the oath of office prescribed by the constitution. He shall have an office in the capitol building; and, except as hereinafter provided, he shall safely keep and shall deliver to his successors all records, papers, documents, correspondence, and property pertaining to or coming into his hands by virtue of his office.

**Duties.** ART. 5237. The commissioner shall collect, assort, systematize, and present in biennial reports to the governor, statistical details relating to all departments of labor in Texas, and especially as affecting or bearing upon the commercial, social, educational, and sanitary conditions of the employees and their families, the means of escape from dangers incident to their employment, the protection of life and health in factories and other places of employment, the labor of children and of women and the number of hours of labor exacted of them, and, in general, all matters and things which affect or tend to affect the prosperity of the mechanical, manufacturing, and productive industries of this State, and of the persons employed therein. Said commissioner shall, also, as fully as may be done, collect reliable reports and information from each county, showing the amount and condition of the mechanical, mining, and manufacturing interests therein, and all sites offering natural or acquired advantages for the location and operation of any of the different branches of industry, and he shall, by correspondence with interested parties in other parts of the United States, or in foreign countries, impart to them such information as may tend to induce the location of manufacturing and producing plants within the State, together with such information as may tend to increase the employment of labor and the products of such employment in Texas.

**Reports.** ART. 5238. In each biennial report, the commissioner shall give a full statement of the business of the bureau since the last preceding report, and such information as may be of value to the industrial interests and to persons employed therein, showing, among other things, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics, and apprentices, the wages earned, the savings from the same, the age and sex of the persons employed, the number and character of accidents, the sanitary conditions of places where persons are employed, the restrictions put upon apprentices when indentured, the proportion of married employees living in rented houses, with the average rental paid, the value of

property owned by such employees, and a statement as to the progress made in schools in operation for the instruction of students in mechanic arts, and what systems have been found most practical; but such reports shall not contain more than six hundred printed pages, and the same shall be printed and distributed in such manner as is or may be provided by law.

ART. 5239. The commissioner shall have power to issue subpoenas, administer oaths, and take testimony in all matters related to the duties herein required of the said bureau, but such testimony must be taken in the vicinity of the residence or office of the person testifying.

Powers.

ART. 5240. No report or return made to the bureau under the provisions of this chapter, or the penal laws of this State, and no schedule, record, or document gathered or returned by its officers or employees shall be destroyed within two years of the collection or receipt thereof; but at the expiration of two years all such reports, returns, schedules, records, and documents as shall be considered by the commissioner to be of no further value shall be destroyed: *Provided*, That the permission of the governor shall first be obtained for such destruction.

Returns to be retained two years.

ART. 5241. Upon the written complaint of two or more persons, or upon his failure otherwise to obtain information in accordance with the provisions of this law, the commissioner shall have the power to enter any factory, mill, workshop, mine, store, business house, public or private work, or other establishment or place where five or more persons are employed at work when the same is open and in operation, for the purpose of gathering facts and statistics, such as are contemplated by this chapter, and for the purpose of examining into the methods of protecting employees from danger and the sanitary conditions in and around such building or place, of all of which the said commissioner shall make and return [to] the bureau of labor statistics a true and detailed record in writing.

Action on complaint.

ART. 5242. If the commissioner shall learn of any violation of the law with respect to the employment of children, or fire escapes, or the safety of employees, or the preservation of health, or in any other way affecting the employees, he shall at once give written notice of the facts to the county or district attorney of the county in which the law has been violated, or of some other county, if any there be, having jurisdiction of the offense, and the county or district attorney to whom such notice has been given shall immediately institute the proper proceedings against the guilty person.

Attorneys to act, when.

ART. 5243 (as amended by chapter 106, Acts of 1919). The commissioner of the bureau of labor statistics shall receive a salary of \$3,000 per annum, payable monthly, and he shall be allowed a secretary at a salary of \$1,800 per annum; an assistant secretary and stenographer at a salary of \$1,500 per annum; a chief deputy at a salary of \$2,000 per annum; six deputies at a salary of \$1,800 each per annum; a chief of the woman's division at a salary of \$2,000 per annum; and two women inspectors at a salary of \$1,800 each per annum—each to be appointed by him—and such assistants and employees as the legislature may at any time in the future authorize, within the limits of the appropriations made therefor. The commissioner shall also be allowed necessary postage, stationery, printing, and other expenses to transact the business of the bureau, within the limits of the appropriations made therefor, and the salary shall be paid as in the case of other State officers and employees. In addition to his salary, the commissioner and any employee of the bureau shall be allowed his actual necessary traveling expenses while in the performance of duties required by this act, and within the limits of the appropriations made therefor.

Salary.

Assistants.

Expenses.

## REVISED CRIMINAL STATUTES—1911.

*Bureau of labor statistics.*

ARTICLES 1585, 1586. [See Arts. 5237, 5239, pp. 134 and 135.]

Reports of em-  
ployers.

ART. 1587. It shall be the duty of every owner, manager, and superintendent of every factory, mill, workshop, mine, store, business house, public or private work, or any other establishment or place, where five or more persons are employed at work, to make to the bureau of labor statistics, upon blanks to be furnished by such bureau, such reports and returns as said bureau may require for the purpose of securing such labor statistics as are contemplated by this chapter; and such reports and returns shall be made within not to exceed sixty days from the receipt of the blanks furnished by the commissioner or by the bureau; and the same shall be verified under oath. Any owner, manager, superintendent, or other person in charge or control of any factory, mill, workshop, mine, store, business house, public or private work, or other establishment or place, where five or more persons are employed at work, who shall neglect or refuse to make such reports and returns as are required by the provisions of this chapter, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not to exceed one hundred dollars, or by imprisonment in the county jail for not to exceed thirty days.

Names not to  
be disclosed.

ART. 1588. In the reports made by the commissioner of labor statistics to the governor, the names of individuals, firms, or corporations, supplying information under the provisions of this chapter, shall not be disclosed; nor shall the name of any such individual, firm, or corporation be communicated to any person or persons, except such as are employed in the bureau of labor statistics; and any officer or employee of such bureau violating any of the provisions of this article shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined not to exceed five hundred dollars, or by imprisonment in the county jail for not more than ninety days.

ARTS. 1589, 1590. [See Arts. 5241, 5242, p. 135.]

Hindering com-  
missioner.

ART. 1591. Any owner, manager, superintendent, or other person in charge or control of any factory, mill, workshop, mine, store, business house, public or private work, or other establishment or place, where five or more persons are employed at work, who shall refuse to allow any officer or employee of the said bureau of labor statistics to enter the same, or to remain therein for such time as is reasonably necessary, or who shall hinder any such officer or employee, or in any way prevent or deter him from collecting information, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not to exceed one hundred dollars, or imprisonment in the county jail for not to exceed sixty days.

[See also Arts. 5235-5243, pp. 134 and 135.]

[The personnel of the bureau consists of the commissioner and a director of the woman's division.]

**UTAH.**  
**COMPILED LAWS—1917.**

*Industrial commission.*

**SECTION 3061.** There is hereby created the industrial commission of Utah, to be composed of three members, who shall be appointed by the governor within thirty days after this title goes into effect. Two of the members of such commission shall be appointed for the term of two years and one for four years, and thereafter each member shall be appointed with the advice and consent of the senate, for the term of four years. Not more than two of the members of said commission shall belong to the same political party. Commission created.

**SEC. 3062.** The governor at any time may remove any member of the commission for inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office. Removals.

**SEC. 3063.** No commissioner shall hold any office of trust or profit, or engage in any occupation or business interfering or inconsistent with his duties as such commissioner, and no commissioner shall serve on any committee of any political party. Other employment.

**SEC. 3064.** Each of said commissioners shall receive an annual salary of \$4,000, payable in the same manner as the salaries of other officers of the State are paid. Before entering upon the duties of his office, each commissioner shall take and subscribe to the constitutional oath of office, which oath shall be filed in the office of the secretary of state. Each member of the commission shall give a corporate surety bond in the sum of \$10,000, which bond shall be approved by the governor and filed with the State treasurer. All employees or deputies of the commission receiving or disbursing funds of the State shall give corporate surety bonds to the State in amounts and with surety to be approved by the commission. The premiums of all bonds provided for in this section shall be paid out of the State treasury. Salary, bond, etc.

**SEC. 3065.** Within thirty days after this title goes into effect, the commission shall meet at the seat of government and organize by choosing one of its members as chairman. A majority of the commission shall constitute a quorum to transact business. No vacancy shall impair the rights of the remaining commissioners to exercise all the powers of the commission; and in case a vacancy exists, the remaining members of the commission shall exercise all of the powers and authorities of the commission until such vacancy is filled. Organization.

**SEC. 3066.** The commission shall keep and maintain its offices at the State capitol, in suitable room or rooms. Necessary office furniture shall be furnished to the commission in the State capitol. The commission may hold sessions in any place within the State of Utah. Offices.

**SEC. 3067.** The commission shall have an official seal for the authentication of its orders and proceedings, upon which seal shall be engraved the words, "The Industrial Commission of Utah," and such other design as the commission may prescribe; and the courts of this State shall take judicial notice of the seal of the commission, and in all cases copies of orders, proceedings, or records in the office of the industrial commission of Utah, certified by the secretary of the said commission under its seal, shall be equal to the original as evidence. Seal.

- Sessions, etc.** SEC. 3068. The commission shall be open for the transaction of business during all business hours of each and every day except Sunday and legal holidays. The sessions of the commission shall be open to the public. All proceedings of the commission shall be shown on its records, which shall be a public record, and all voting shall be had by calling each member's name by the secretary, and each member's vote shall be recorded on the proceedings as cast.
- Rules.** SEC. 3069. Subject to the provisions of this title, the commission may adopt its own rules of procedure, and may change the same from time to time in its discretion.
- Employees.** SEC. 3070. The commission may employ a secretary, deputies, actuaries, accountants, inspectors, examiners, experts, clerks, physicians, stenographers, and other assistants, and fix their compensation. Such employment and compensation shall be first approved by the governor, and shall be paid out of the State treasury. The members of the commission, deputies, secretary, actuaries, accountants, inspectors, examiners, experts, clerks, physicians, stenographers, and other assistants that may be employed shall be entitled to receive from the State treasury their salaries or compensation, and also their actual and necessary expenses while traveling on the business of the commission, and the members of the commission may confer and meet with officers of other States and officers of the United States on any matters pertaining to their official duties. Such expenses shall be itemized and sworn to by the person who incurred the expense and allowed by the commission.
- Access to work places.** SEC. 3074. Any commissioner or deputy of the commission may enter any place of employment for the purpose of collecting facts and statistics, examining the provisions made for the health, safety, and welfare of the employees therein, and bring to the attention of every employer any law, or any order of the commission, and any failure on the part of such employer to comply therewith. No employer shall refuse to admit any commissioner or deputy of the commission to his place of employment.
- Power of commission.** SEC. 3075. The commission is vested with the power and jurisdiction to have such supervision of every employment and place of employment and of every building and establishment in this State as may be necessary adequately to enforce and administer all laws and all lawful orders requiring every employment and place of employment to be safe, and requiring the protection of the life, health, safety, and welfare of every employee in such employment or place of employment.
- Same.** SEC. 3076 (as amended by chapter 67, Acts of 1921). It shall also be the duty of the commission, and it shall have full power, jurisdiction, and authority:
- (1) To administer and enforce all laws for the protection of life, health, safety, and welfare of employees;
  - (2) To ascertain and fix such reasonable standards and prescribe, modify and enforce such reasonable orders for the adoption of safety devices, safeguards, and other means or methods of protection, to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful orders relative to the protection of the life, health, safety, and welfare of employees in employment and places of employment;
  - (3) To ascertain, fix, and order such reasonable standards for the construction, repair, and maintenance of places of employment as shall render them safe;
  - (4) To investigate, ascertain, and determine such reasonable classifications of persons, employments, and places of employment as shall be necessary to carry out the purposes of this title;
  - (5) To do all in its power to promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees;
  - (6) To establish and conduct free employment agencies, and license, supervise and regulate private employment offices and to do all in its power to bring together employers seeking em-

ployees and working people seeking employment, and to make known the opportunities for employment in this State;

(7) To collect, collate, and publish all statistical and other information relating to employees, employers, employments, and places of employment and such other statistics as it may deem proper;

(8) Upon petition by any person that any employment or place of employment is not safe or is injurious to the welfare of any employee, the commission shall proceed, with or without notice, to make such investigation as may be necessary to determine the matter complained of. After such investigation, the commission shall enter such order relative thereto as may be necessary to render such employment or place of employment safe and not injurious to the welfare of the employees therein.

Whenever the commission shall believe that any employment or place of employment is not safe or is injurious to the welfare of any employee, it may of its own motion summarily investigate the same, with or without notice, and issue such order as it may deem necessary to render such employment or place of employment safe;

(9) All duties, liabilities, authority, powers, and privileges conferred and imposed by law upon the commissioner of immigration, labor, and statistics, State mine inspector of coal and hydro-carbon mines, and board of conciliation and arbitration are hereby imposed upon the commission. All laws relating to the commissioner of immigration, labor, and statistics, State mine inspector of coal and hydro-carbon mines, and board of conciliation and arbitration shall apply to, relate, and refer to the industrial commission of Utah. The industrial commission of Utah shall be deemed the commissioner of immigration, labor, and statistics, State mine inspector of coal and hydro-carbon mines, and board of labor conciliation and arbitration within the meaning of the existing laws;

(10) All orders of the commission in conformity with law shall be valid and in force and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose pursuant to the provisions of this title or until altered or revoked by the commission;

(11) All general orders of the commission shall take effect within thirty days after their publication, special orders shall take effect as therein directed.

The commission shall, upon application of any employer, grant such time as may be reasonably necessary for compliance with any order.

Any person may petition the commission for an extension of time, which the commission shall grant if it find such extension of time necessary.

Sec. 3077 (as amended by chapter 67, Acts of 1921). (1) Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness and lawfulness of any order of the commission provided in this title.

(2) Such petition for hearing shall be by verified petition filed with the commission, setting out specifically and in full detail the order upon which a hearing is desired, and every reason why such order is unreasonable or unlawful, and every issue to be considered by the commission on the hearing. The petitioner shall be deemed to have finally waived all objection to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.

(3) Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the commission shall determine the same by confirming, without hearing, its previous determination, or if such hearing is necessary to determine the issue raised, the commission shall order a hearing thereon and consider and determine the matter or matters in ques-

tion at such time as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the commission may find directly interested in such decision.

(4) Upon such investigation if it shall be found that the order complained of is unlawful or unreasonable, the commission shall substitute therefor such other order as shall be lawful and reasonable.

(5) Whenever at the time of final determination upon such hearing it shall be found that further time is reasonably necessary for compliance with the order of the commission, the commission shall grant such time as may be reasonably necessary for such compliance.

**Application.**

SEC. 3078. No action, proceeding, or suit to set aside, vacate, or amend any order of the commission, or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have applied to the commission for a hearing thereon at the time and as provided in section 3077 and in the petition therefor shall have raised every issue raised in such action. Every order of the commission shall, in every prosecution for violation thereof, be conclusively presumed to be just, reasonable, and lawful, unless prior to the institution of the prosecution for such violation an action shall have been brought to vacate and set aside such order, as provided in section 3087.

**Powers.**

SEC. 3079. Each of the commissioners and the secretary of the commission, for the purposes mentioned in this title, shall have power to administer oaths, certify to official acts, issue subpoenas, compel attendance of witnesses and the production of papers, books, accounts, documents, and testimony. In case of the failure of any person to comply with any order of the commission or any subpoena lawfully issued, or upon the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the district court of any county in this State, on the application of a commissioner, to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

**Witnesses.**

SEC. 3080. Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in the district court, which shall be audited and paid by the State out of the State treasury, in the same manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the chairman of the commission. But no witness subpoenaed at the instance of the parties other than the commission shall be entitled to compensation from the State for attendance or travel unless the commission shall certify that his testimony was material to the matter investigated.

**Depositions.**

SEC. 3081. The commission or any party may in any investigation cause depositions of witnesses residing within or without the State to be taken as in civil actions.

**Records.**

SEC. 3082. A full and complete record shall be kept of all proceedings had before the commission on any investigation, and all testimony shall be taken down by a stenographer appointed by the commission.

**Rules, etc., to be published.**

SEC. 3083. Publication of rules and orders of the commission shall be made by the commission in pamphlet form, to be furnished on demand at the office of the commission. The expenses of publication shall be audited and paid as are other expenses of the commission.

**Agents.**

SEC. 3084. 1. For the purpose of making any investigation with regard to any employment or place of employment, the commission shall have power to appoint, by an order in writing, any member of the commission, any deputy, or any other competent person who is a resident of the State as an agent, whose duty shall be prescribed in such order.

2. In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this title to the commission, and the same powers as a referee appointed by a district court with regard to taking testimony.

3. The commission may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agents the taking of all testimony bearing upon any investigation or hearing. The decision of the commission shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and shall not preclude the taking of further testimony if the commission so orders, nor further investigation.

Investigations.

SEC. 3085. The commission shall have authority to direct any deputy to act as special prosecutor in any action, proceeding, investigation, hearing, or trial relating to matters within its jurisdiction.

Attorneys.

Upon the request of the commission, the attorney general, district attorney, or the county attorney of the county in which any investigation, hearing, or trial had under the provision of this title is pending, shall aid therein and prosecute, under the supervision of the commission, all necessary actions or proceedings for the enforcement of this title and all other laws of this State relating to the protection of life, health, safety, and welfare, and for the punishment of all violations thereof.

SEC. 3086. A substantial compliance with the requirements of this title shall be sufficient to give effect to the orders of the commission, and they shall not be declared inoperative, illegal, or void for any omission of a technical nature in respect thereto.

Compliance.

SEC. 3091. All actions and proceedings under this title and all actions or proceedings to which the commission or this State may be parties, and in which any question arises under this title or under or concerning any order of the commission, shall be preferred over all other civil cases, except election causes and causes involving or affecting the public utilities commission, irrespective of position on the calendar. The same preference shall be granted upon application of the attorney of the commission in any action or proceeding in which he may be allowed to intervene.

Precedence.

SEC. 3092. If any employer, employee, or other person shall violate any provisions of this title or shall do any act prohibited by this title or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or fail, neglect, or refuse to obey any lawful order given or made by the commission, or any judgment or decree made by any court in connection with provisions of this title, for each such violation, failure, or refusal such employer or other person shall be fined not less than \$50 nor more than \$1,000 for the offense, and not less than \$100 nor more than \$5,000 for each subsequent offense.

Violations.

SEC. 3093. Every day during which any person, persons, or corporations, or any officer, agent, or employees thereof, shall fail to observe and comply with any order of the commission, or to perform any duty enjoined by this title, shall constitute a separate and distinct violation of such order, or said section, as the same may be.

Each day an offense.

SEC. 3094 (as amended by chapter 67, Acts of 1921). Every employer shall furnish the commission upon request all information required by it to carry out the purpose of this title. In the month of July of each year every employer shall prepare and mail to the commission at the State capitol, Salt Lake City, Utah, a statement containing the following information, viz: The number of employees employed during the preceding year from July 1 to June 30, inclusive; the number of such employees employed at each kind of employment; and the scale of wages paid to each class of employment, showing the minimum and maximum wage paid, and the aggregate amount of wages paid to all employees; which information shall be furnished on a

Employers' statements.

blank or blanks to be prepared by the commission; and it shall be the duty of the commission to furnish such blanks to employers free of charge, upon request therefor. Every employer shall cause said blanks to be properly filled out so as to answer fully and correctly all questions therein propounded, and to give all the information therein sought, or if unable to do so, he shall give to the commission, in writing, good and sufficient reasons for such failure. The commission may require the information herein required to be furnished to be certified under oath and returned to the commission within the period fixed by it or by law. The commission, or any member thereof, or any person employed by the commission for that purpose, shall have the right to examine, under oath, any employer, or the officer, agent, or employee thereof, for the purpose of ascertaining any information which such employer is required by this title to furnish to the commission.

Any employer who shall refuse to furnish to the commission the annual statement herein required, or who shall refuse to furnish such other information as may be required by the commission under authority of this section, or who shall willfully furnish a false or untrue statement, shall be liable to a penalty of not to exceed \$500 for each offense, to be collected in a civil action brought against said employer in the name of the State; all such penalties, when collected, shall be paid into the State treasury.

**Definitions.**

SEC. 3112 (as amended by chapter 67, Acts of 1921). The following terms as used in this title shall be construed as follows:

(1) The term "order" shall mean and include any decision, rule, regulation, direction, requirement, or standard of the commission, or any other determination arrived at or decision made by such commission.

(2) The term "general order" shall mean and include such order as applies generally throughout the State to all persons, employments or places of employment of a class under the jurisdiction of the commission. All other orders of the commission shall be considered special orders.

**Enforcement.**

SEC. 3157. Upon the request of the commission, the attorney general or, under his direction, any district attorney or the county attorney of any county, shall institute and prosecute the necessary actions or proceedings for the enforcement of any of the provisions of this title, or for the recovery of any money due the State insurance fund, or any penalty herein provided for, arising within the county in which he was elected, and shall defend in like manner all suits, actions, or proceedings brought against the commission or the members thereof in their official capacity.

**Expenditure for information.**

SEC. 3158. The commission may make necessary expenditures to obtain statistical and other information provided for herein.

**Annual report.**

SEC. 3159 (as amended by chapter 67, Acts of 1921). On or before the fifteenth day of December, preceding the regular sessions of the legislature, the commission, under the oath of at least two of its members, shall make a report to the governor for the preceding biennial period, which shall include a statement of the number of awards made by it, and a general statement of the causes of accidents leading to the injuries for which the awards were made, a detailed statement of the disbursements from the expense fund, and the condition of its respective funds, together with any other matters which the commission deems proper to call to the attention of the governor, including any recommendations it may have to make; and it shall be the duty of the commission from time to time to publish and distribute among employers and employees such general information as to the business transacted by the department as in its judgment may be useful.

**Restraining order.**

SEC. 3161. No injunction shall issue suspending or restraining any order, classification, or rate adopted by the commission, or any action of the State auditor, State treasurer, attorney general, or

the auditor or treasurer of any county, required to be taken by them or any of them by any of the provisions of this title; but nothing herein shall affect any right or defense in any action brought by the commission or the State in pursuance of authority contained in this title.

Sec. 3162. Should any section or provision of this title be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the title as a whole or any part thereof other than the part so decided to be unconstitutional. Provisions severable.

[The appropriation for the industrial commission for the biennium 1921-1923, was \$95,000.

The officials of the industrial commission are the three members and a secretary.]

## VERMONT.

### GENERAL LAWS—1917.

#### *Commissioner of industries.*

- Appointment.** SECTION 5752. The governor shall biennially, in the month of January, with the advice and consent of the senate, appoint a commissioner of industries.
- Office.** SEC. 5753. Said commissioner shall be provided with an office in the capitol or in some other State building at Montpelier in which his records shall be kept. Said commissioner shall have a seal for the authentication of his orders, awards and proceedings upon which shall be inscribed the words "Commissioner of industries—Seal—Vermont."
- Seal.**
- Deputies.** SEC. 5754 (as amended by No. 166, Acts of 1921). Said commissioner shall, subject to the approval of the governor, appoint one or more deputy commissioners, also a woman inspector for part or full time as may be required, for whose official acts he shall be responsible. Said deputy or deputies and said inspector shall hold office during the pleasure of said commissioner, and their compensation shall be fixed by the board of control.
- Assistants.** SEC. 5755. Said commissioner shall maintain such office and employ such assistance, clerical or otherwise, as the governor deems necessary for the proper performance of the duties of said commissioner.
- Enforcement of laws.** SEC. 5756. Said commissioner shall make examinations and investigations to see that the laws pertaining to the employment of minors and women and to the weekly payment of wages are being complied with and for such purposes may enter any place where persons are employed, and summon witnesses, administer oaths, and demand the production of books and papers. The county court, a justice of the supreme court or a superior judge shall have power to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers, records and documents before said commissioner, and, in the case of a corporation, the provisions of sections four thousand nine hundred and fifty-one to four thousand nine hundred and fifty-five, both inclusive, shall apply. Whenever said commissioner finds a violation of the provisions of chapter two hundred and forty-three [relating to the inspection of factories]; of the provisions of law relating to the employment of minors and women; of the provisions of law relating to the weekly payment of wages and the provisions of law relating to the health, lives, and limbs of operators in factories, work shops, railroads, and other places and the provisions of law relating to the protection of the working classes; he shall submit the evidence thereof to the proper prosecuting officer, who shall prosecute the offender.
- Reports.** SEC. 5828. Said commissioner shall, in each even year, make a report to the governor showing the work done during the preceding two years and shall include therein a properly classified statement of his expenses, statistical information relating to the number and character of industrial accidents during such two years, information as to the general industrial conditions prevailing within the State, and such other information and recommendations as seem pertinent. Such report shall be printed.
- Salary.** SEC. 7348. The annual salary of the commissioner of industries shall be three thousand dollars and he shall be paid his necessary expenses when away from home on official business.
- [The commissioner, a deputy commissioner, and a secretary comprise the personnel of the office.]

VIRGINIA.  
CONSTITUTION.

*Bureau of labor and statistics.*

SECTION 86. The general assembly shall have power to establish and maintain a bureau of labor and statistics, under such regulations as may be prescribed by law. Bureau authorized.

CODE, ANNOTATED—1919.

*Bureau of labor and industrial statistics.*

SECTION 1797. The bureau of labor and industrial statistics is continued. It shall be the duty of said bureau to collect, assort, systematize, and present in annual reports to the governor, to be by him biennially transmitted to the general assembly, statistical details relating to all departments of labor, penal institutions, and industrial pursuits in the State, especially in their relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes and to the permanent prosperity of the productive industries of the State. Duties.

SEC. 1798. The governor shall appoint, by and with the consent of the Senate, some suitable person identified with the labor interests of the State, who shall be designated commissioner of labor, and who shall, upon the request of the governor, furnish such information as he may require. The term of office for said commissioner shall be two years from the date of his appointment, with power of removal by the governor for cause. \* \* \* Commissioner.

SEC. 1799 (as amended by chapter 373, Acts of 1922). The commissioner of labor shall have power to take and preserve testimony, examine witnesses, administer oaths, and under proper restrictions enter any public institution of the State, and any factory, store, workshop, laundry, or mine, and interrogate any person employed therein or connected therewith, or the proper officer of a corporation, or file a written or printed list of interrogatories and require full and complete answers to the same, to be returned under oath within thirty days of the receipt of said list of questions. Powers.

He shall have general supervision and control of the bureau of labor and industrial statistics and shall have authority to appoint such assistants as may be necessary to carry out the objects and purposes of the bureau.

He shall secure the enforcement of all laws relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions in the State and to aid him in this work shall have power to appoint such factory inspectors and other assistants as may be necessary. The duties of such inspectors and other assistants shall be prescribed by the commissioner of labor. Duties.

The commissioner of labor, his assistants and factory inspectors shall visit and inspect at reasonable hours, as often as practicable, the factories, mercantile establishments, mills, workshops, and commercial institutions in the State, where goods, wares, or merchandise are manufactured, purchased, or sold, at wholesale or retail. The commissioner of labor shall report in writing to the governor annually concerning the work of his department, with such other information and with such recommendations as he may deem proper.

It shall be the duty of the commissioner of labor to enforce the provisions of this chapter, and to prosecute all violations of law relating to the inspection of factories, mercantile establishments, mills, workshops, and commercial institutions in this State before any justice of the peace or court of competent jurisdiction.

It shall be the duty of the Commonwealth's attorney of the proper county or city, upon the request of the commissioner of labor or any of his assistants or deputies, to prosecute any violation of law, which is made the duty of said commissioner of labor to enforce.

Duty of officers.

SEC. 1800. All State, county, town, and city officers shall furnish the commissioner of labor, upon his request, such statistical information in reference to labor as may be in their possession as such officers.

Appropriations to be made.

SEC. 1801. The bureau of labor and industrial statistics shall be maintained from such appropriations as the general assembly may make for the purpose, and the general assembly shall fix the compensation of all persons performing service in said department. The compensation paid on the day before this code takes effect shall continue to be paid until changed by law.

Violations.

SEC. 1802 (as amended by chapter 373, Acts of 1922). If any person, who may be sworn to give testimony, shall willfully fail or refuse to answer any legal and proper question propounded to him concerning the subject of such examination as indicated in section seventeen hundred and ninety-nine, or if any person, to whom a written or printed list of such interrogatories has been furnished by the commissioner of labor, shall neglect or refuse to fully answer and return the same under oath, or if any person in charge of any factory, mill, workshop, laundry, mercantile or manufacturing establishment shall refuse admission to or obstruct in any manner the inspection of such establishment or the proper performance of the authorized duties of the commissioner of labor or any of his assistants or any factory inspector, or other duly authorized representative of the bureau of labor and industrial statistics, he shall be guilty of misdemeanor and, upon conviction thereof, shall be fined not exceeding one hundred nor less than twenty-five dollars, or imprisoned in jail not exceeding ninety days, or both.

Nothing in this chapter shall be construed as permitting the commissioner or any employee of said bureau to make use of any information or statistics gathered from any person, company, or corporation for any purposes other than those of this chapter.

[The commissioner is also charged with the enforcement of the laws regulating private employment offices. The organization comprises the commissioner, an assistant commissioner, director of women and children's division, chief clerk and statistician, chief factory inspector, three factory inspectors, chief mine inspector, mine inspector, clerk, and stenographer. The salary of the commissioner is \$3,600 per annum, of the assistant commissioner and chief clerk \$2,400, and of director of the women and children's division not exceeding \$1,800. The total appropriation for the year ending February 29, 1924, is \$32,640.]

WASHINGTON.

ACTS OF 1921.

CHAPTER 7.—Administrative code—Department of labor and industries.

SECTION 2. There shall be, and are hereby created, departments of the State government which shall be known, respectively, as \* \* \* (7) the department of labor and industries, \* \* \* which departments shall be charged, respectively, with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties as the legislature may provide.

Department created.

SEC. 3. There shall be a chief executive officer of each of the departments of the State government created by this act, to be known, respectively, as \* \* \* (7) the director of labor and industries, \* \* \* who shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. \* \* \*

Officers.

SEC. 19. The director of each department created by this act shall have the power to prescribe rules and regulations, not inconsistent with law, for the government of his department, the conduct of its subordinate officers and employees, the disposition and performance of its business, and the custody, use, and preservation of the records, papers, books, documents, and property pertaining thereto.

Powers.

SEC. 20. Each department created by this act shall maintain its principal office at the State capital in rooms provided by the department of business control. The director of each department may, with the approval of the governor, establish and maintain branch offices at other places than the State capital for the conduct of one or more of the functions of his department.

Office.

SEC. 74. The department of labor and industries shall be organized into and consist of three divisions, to be known, respectively, as (1) the division of industrial insurance, (2) the division of safety, (3) the division of industrial relations. The director of labor and industries shall receive a salary of not to exceed seventy-five hundred dollars per annum, and have power to appoint such clerical assistants as may be necessary for the general administration of the department.

Divisions.

SEC. 75. The director of labor and industries shall have the power to appoint and depute an assistant director, to be known as the supervisor of industrial insurance, who shall have charge and supervision of the division of industrial insurance, and, with the approval of the director, appoint and employ such adjusters, medical and other examiners, auditors, inspectors, clerks, and other assistants as may be necessary to carry on the work of the division.

Supervisor of industrial insurance.

SEC. 76. The director of labor and industries shall have power, (1) to appoint and depute an assistant director, to be known as the supervisor of safety, who shall have charge and supervision of the division of safety, (2) to appoint the State mining board, the members of which shall have the qualifications provided by law, and (3) to appoint and depute a chief inspector of mines, who shall have the qualifications provided by law for the office of the State mine inspector. The supervisor of safety, with the approval of the director, shall have power to appoint and employ such inspectors, clerks, and other assistants as may be necessary

Supervisor of safety.

Mining board.

Inspector.

Appointees.

to carry on the work of the division. The chief mine inspector, with the approval of the director, shall appoint such qualified deputies as are provided by law.

Supervisor of industrial relations.

SEC. 77. The director of labor and industries shall have power to appoint and deputize an assistant director, to be known as the supervisor of industrial relations, who shall be the State mediator, have charge and supervision of the division of industrial relations, and, with the approval of the director, shall appoint an assistant to be known as the industrial statistician, and a female assistant to be known as the supervisor of women in industry, and have power to appoint and employ such assistant mediators, experts, clerks, and other assistants as may be necessary to carry on the work of the division.

Appointees.

Industrial insurance.

SEC. 78. The director of labor and industries shall have the power, and it shall be his duty through and by means of the division of industrial insurance:

(1) To exercise all the powers and perform all the duties now vested in and required to be performed by the industrial insurance department and the commissioners thereof;

(2) To exercise all the powers and perform all the duties now vested in and required to be performed by the State medical aid board;

(3) To exercise all the powers and perform all the duties now vested in and required to be performed by the local aid boards;

(4) To have the custody of all property acquired by the State at execution sale upon judgments obtained for delinquent industrial insurance premiums or medical aid contributions, and penalties and costs, to sell and dispose of the same at private sales for the sale purchase price, and to pay the proceeds into the State treasury to the credit of the industrial insurance fund or medical aid fund as the case may be. In case of the sale of real estate the director shall execute the deed in the name of the State;

(5) To exercise such other powers and perform such other duties as may be provided by law.

Joint decisions.

SEC. 79. The director of labor and industries, the supervisor of industrial insurance, and the supervisor of safety shall have the power, and it shall be their duty to jointly hear and decide by a majority vote all matters arising in either the division of industrial insurance or the division of safety, which the director of labor and industries or the supervisor of industrial insurance or the supervisor of safety, respectively, shall deem to be of sufficient importance to require their joint action, and to hear and decide by a majority vote any matter concerning which any person affected by the decision of either the supervisor of industrial insurance or the supervisor of safety shall, by request in writing, ask for a joint decision: *Provided, however,* That nothing herein contained shall be construed as depriving any person feeling himself aggrieved by any decision of either the director of labor and industries, the supervisor of industrial insurance, the supervisor of safety, or by any joint decision of the right of appeal therefrom to a court of competent jurisdiction in the manner provided by law.

Division of safety.

SEC. 80. The director of labor and industries shall have the power, and it shall be his duty, through and by means of the division of safety:

(1) To exercise all the powers and perform all the duties now vested in, and required to be performed by, the State safety board, except the appointment of the State mining board;

(2) To exercise all the powers and perform all the duties in relation to the inspection of factories, mills, workshops, storehouses, warerooms, stores and buildings, and the machinery and apparatus therein contained, and steam vessels, and other vessels operated by machinery, and in relation to the administration and enforcement of all laws providing for the protection of em-

ployees in mills, factories, workshops, and other places where machinery is used, and in relation to the enforcement, inspection, and certification of safe places and safety device standards in all industries, now vested in, and required to be performed by, the commissioner of labor;

(3) To exercise all the powers and perform all the duties now vested in, and required to be performed by, the State mine inspector and deputy mine inspectors;

(4) To exercise all the powers and perform all the duties in relation to the inspection of tracks, bridges, structures, machinery, equipment, and apparatus of railroads, street railways, gas plants, electrical plants, water systems, telephone lines, telegraph lines, and other public utilities, with respect to the safety of employees, and the administration and enforcement of all laws providing for the protection of employees of railroads, street railways, gas plants, electrical plants, water systems, telephone lines, telegraph lines, and other public utilities, now vested in, and required to be performed by, the public service commission;

(5) To exercise all the powers and perform all the duties in relation to the enforcement, amendment, alteration, change, and making additions to, rules and regulations concerning the operation, placing, erection, maintenance, and use of electrical apparatus, and the construction thereof, now vested in, and required to be performed by, the public service commission;

(6) To exercise all the powers and perform all the duties now vested in, and required to be performed by, the inspector of hotels;

(7) To exercise all the powers and perform all the duties now vested in, and required to be performed by, the bureau of labor;

(8) To exercise such other powers and perform such other duties as may be provided by law.

SEC. 81. The director of labor and industries shall have the power, and it shall be his duty, through and by means of the division of industrial relations: Industrial relations.

(1) To promote mediation in, conciliation concerning, and the adjustment of, industrial disputes, in such manner and by such means as may be provided by law;

(2) To study and keep in touch with problems of industrial relations and, from time to time, make public reports and recommendations to the legislature;

(3) To, with the assistance of the industrial statistician, exercise all the powers and perform all the duties in relation to collecting, assorting, and systematizing statistical details relating to labor within the State, now vested in, and required to be performed by, the secretary of state, and to report to, and file with, the secretary of state duly certified copies of the statistical information collected, assorted, systematized, and compiled, and in collecting, assorting, and systematizing such statistical information to, as far as possible, conform to the plans and reports of the United States Department of Labor; Statistics.

(4) To, with the assistance of the industrial statistician, make such special investigations and collect such special statistical information as may be needed for use by the department or division of the State government having need of industrial statistics;

(5) To, with the assistance of the supervisor of women in industry, supervise the administration and enforcement of all laws respecting the employment and relating to the health, sanitary conditions, surroundings, hours of labor, and wages of women and minors; Women and minors.

(6) To exercise all the powers and perform all the duties, not specifically assigned to any other division of the department of labor and industries, now vested in, and required to be performed by, the commissioner of labor; Other duties.

(7) To exercise such other powers and perform such other duties as may be provided by law.

Industrial wel-  
fare. SEC. 82. The director of labor and industries, the supervisor of industrial insurance, the supervisor of industrial relations, the industrial statistician, and the supervisor of women in industry shall constitute a committee, of which the director shall be chairman, and the supervisor of women in industry shall be executive secretary, which shall have the power, and it shall be its duty:

(1) To exercise all the powers and perform all the duties now vested in, and required to be performed by, the industrial welfare commission.

[The organization comprises the director, supervisors of safety and of women in industry, an industrial statistician, and a secretary. The appropriation for salaries and wages is \$338,225, for the two years 1921-1923.]

## WEST VIRGINIA.

### BARNES' CODE, ANNOTATED—1923.

#### CHAPTER 15H.—*Bureau of labor.*

SECTION 1. There hereby is created a State bureau of labor, to be under the control and management of a commissioner to be known as the State commissioner of labor, who is to be appointed as hereinafter provided. Bureau created.

SEC. 2. The governor shall, with the advice and consent of the senate, appoint a competent person, who is identified with the labor interests of the State, to be State commissioner of labor, who shall hold his office for a term of four years and until his successor is appointed and qualified. In case of a vacancy in the office of the commissioner of labor, caused by death, resignation, removal, or otherwise, the governor shall appoint a commissioner of labor for the unexpired term in the manner above provided. Commissioner.

SEC. 3. It shall be the duty of the commissioner of labor to collect, compile, and present to the governor an annual report, statistical details relating to all departments of labor and the industrial interests of the State, especially in relation to the financial, social, educational, and sanitary condition of the laboring classes and all statistical information that may tend to increase the prosperity of the productive industries of the State. He shall, once at least in every year, visit and inspect the principal factories and workshops of the State; and shall, upon complaint and request of any three or more reputable citizens, visit and inspect any place where labor is employed and make true report of the result of his inspection. Duties.

SEC. 4. The commissioner of labor shall have power, in the discharge of his duties, to enter and inspect any public institution of the State and any factory, workshop, or other place where labor is employed. He may furnish a written or printed list of interrogatories asking information essential to a proper discharge of his duties, to any person, company, or corporation employing labor, and require full and complete answers thereto. And if any person, or the officers of any company or corporation shall neglect or refuse to answer, within a reasonable time, any proper question propounded to him by the commissioner of labor, or if any person or the officers of any company or corporation to whom a list of interrogatories has been furnished, shall neglect or refuse to fully and truthfully answer and return the same, such person or such officer of such company or corporation shall be deemed guilty of a misdemeanor. The commissioner of labor shall report to the prosecuting attorney of the proper county all such violations of this act; whereupon said prosecuting attorney shall proceed against the guilty persons thereof, as in any other cases of misdemeanor; and any person, or any officer, or any company or corporation, convicted in such proceedings shall be fined not less than ten dollars, nor more than fifty dollars, or shall be confined in the county jail not less than ten nor more than ninety days, or shall be both fined and imprisoned within the above limits. Entering work places.

SEC. 5. All State, county, district, and city officers shall furnish the commissioner of labor, upon request, all statistical information relating to labor which may be in their possession as such officers. The commissioner of labor shall report to the governor, on or before the first day of December in each year, all the statistics he has collected and compiled, with such suggestions as he may deem advisable as to legislation tending to promote and increase the prosperity of the industrial establishments of the Duty of officers.

State, and to protect the lives and health and to promote the prosperity of the persons employed therein.

Inspection of factories, etc. SEC. 6. All rooms, buildings, and places in this State where labor is employed, or shall hereafter be employed, in any factories, mercantile establishments, mills, or workshops shall be so constructed, equipped and arranged, operated, and conducted, in all respects, as to provide reasonable and adequate protection for the life, health, safety, and morals of all persons employed therein. For the carrying into effect of this provision, and the provisions of all the laws of this State, the enforcement of which is now or shall hereafter be intrusted to or imposed upon the bureau of labor, the commissioner of labor shall appoint not more than four factory inspectors, who shall be under the supervision of the commissioner of labor. The commissioner of labor may at any time divide the State into inspection districts as to him may seem advisable, and assign the inspectors to the districts as the good of the service requires. The salary of a factory inspector shall be eighteen hundred dollars per annum, and actual traveling and hotel expenses. The commissioner of labor shall appoint a chief clerk, whose salary shall be twenty-four hundred dollars per annum, an assistant clerk who shall be a stenographer, at a salary of eighteen hundred dollars per annum, and a statistical clerk whose salary shall be twelve hundred dollars per annum. The salary of the commissioner of labor provided for in this act shall be three thousand six hundred dollars per annum, and he shall be allowed his actual traveling and incidental expenses.

Inspectors.

Salaries.

Employment service. SEC. 7. The commissioner of labor is hereby authorized to organize and establish, in connection with the bureau of labor, a free public employment bureau, for the purpose of receiving applications from persons seeking employment and applications from persons seeking to employ labor.

[The commissioner of labor is the only official reported.]

**WISCONSIN.**

**STATUTES (AMENDMENTS TO 1923).**

*Industrial commission.*

SECTION 2057. There is appropriated from the general fund to the industrial commission: Appropriation.

(1) Annually, beginning July 1, 1921, two hundred and eighty-five thousand dollars for the execution of its functions. Of this there is allotted:

(a) To each member of the commission an annual salary of five thousand dollars. Salaries.

\* \* \* \* \*

SEC. 2394-42. There is hereby created a board which shall be known as the "Industrial Commission of Wisconsin." The governor, by and with the advice and consent of the Senate, shall appoint a member who shall serve two years, another who shall serve four years, and another who shall serve six years. Thereafter each member shall be appointed and confirmed for terms of six years each. Vacancies shall be filled in the same manner for unexpired terms. Each member of the board before entering upon the duties of his office shall take the oath prescribed by the constitution. A majority of the board shall constitute a quorum for the exercise of the powers or authority conferred upon it. In case of a vacancy, the remaining two members of the board shall exercise all the powers and authority of the board until such vacancy is filled. Each member of the board shall receive an annual salary of five thousand dollars, and actual expenses necessarily incurred in the performance of his duties, which shall be in full for all services performed under sections 2394-41 to 2394-71, inclusive. This board shall supersede and perform all of the duties of the industrial accident board provided in sections 2394-1 to 2394-40, inclusive. Commission created.

SEC. 2394-43. Within thirty days after the passage and publication of this act such commission shall meet at the State capitol and organize in the manner provided for the organization of the industrial accident board in section 2394-13 of the statutes. A majority of said commissioners shall constitute a quorum to transact business. No vacancy shall impair the right of the remaining commissioners to exercise all the powers of the commission. Organization.

SEC. 2394-44. The commission shall keep its office at the capitol and shall be provided by the superintendent of public property with suitable rooms, necessary furniture, stationery, books, periodicals, maps, instruments, and other necessary supplies. The commission may, however, hold sessions at any place other than the capitol when the convenience of the commission and the parties interested so requires. Office.

SEC. 2394-45. The commissioners and employees of the commission shall be entitled to receive from the State their actual necessary expenses while traveling on the business of the commission, either within or without the State of Wisconsin. Such expenditure shall be presented in an account verified by the person who incurred the expenses, approved by the chairman of the commission, and shall be audited and paid as are the expenses of employees and members of other State commissions. Expenses.

- Title.** SEC. 2394-46. The commission shall be known collectively as the "Industrial Commission of Wisconsin," and in that name may sue and be sued. It shall have a seal for the authentication of its orders and proceedings, upon which shall be inscribed the words "INDUSTRIAL COMMISSION—WISCONSIN—SEAL."
- Seal.**
- Information to be furnished.** SEC. 2349-50. 1. Every employer and every owner shall furnish to the commission all information required by it to carry into effect the provisions of sections 2394-41 to 2394-71, inclusive, and shall make specific answers to all questions submitted by the commission relative thereto.
2. Any employer receiving from the commission any blanks calling for information required by it to carry into effect the provisions of sections 2394-41 to 2394-71, inclusive, with directions to fill the same, shall cause the same to be properly filled out so as to answer fully and correctly each question therein propounded, and, in case he is unable to answer any question, he shall give a good and sufficient reason for such failure; and said answer shall be verified under oath by the employer, or by the president, secretary, or other managing officer of the corporation, if the employer is a corporation, and returned to the commission at its office within the period fixed by the commission.
- Entering work places.** 3. Any commissioner or deputy of the commission may enter any place of employment or public building, for the purpose of collecting facts and statistics, examining the provisions made for the health, safety, and welfare of the employees, frequenters, the public, or tenants therein, and bringing to the attention of every employer or owner any law, or any order of the commission, and any failure on the part of such employer or owner to comply therewith. No employer or owner shall refuse to admit any commissioner or deputy of the commission to his place of employment or public building.
- Powers.** SEC. 2394-51. The industrial commission is vested with the power and jurisdiction to have such supervision of every employment, place of employment, and public building in this State as may be necessary adequately to enforce and administer all laws and all lawful orders requiring such employment, place of employment, or public building to be safe, and requiring the protection of the life, health, safety, and welfare of every employe in such employment or place of employment and frequenter of such place of employment, and the safety of the public or tenants in any such public building.
- SEC. 2394-52. It shall also be the duty of the industrial commission, and it shall have power, jurisdiction, and authority:
- Assistants.** (1) To employ, promote, and remove deputies, clerks, and other assistants as needed; to fix their compensation and to assign to them their duties; and to appoint advisors who shall, without compensation, assist the industrial commission in the execution of its duties.
- Law enforcement.** (2) To administer and enforce, so far as not otherwise provided for in the statutes, the laws relating to child labor, laundries, stores, employment of females, licensed occupations, school attendance, bakeries, employment offices, intelligence offices and bureaus, manufacture of cigars, sweatshops, corn shredders, wood-sawing machines, fire escapes and means of egress from buildings, scaffolds, hoists, ladders, and other matters relating to the erection, repair, alteration, or painting of buildings and structures, and all other laws protecting the life, health, safety, and welfare of employe in employments and places of employment and frequenters of places of employment.
- Safety standards.** (3) To investigate, ascertain, declare, and prescribe what safety devices, safeguards, or other means or methods of protection are best adapted to render the employe of every employment and place of employment and frequenters of every place of employment safe, and to protect their welfare as required by law or lawful orders, and to establish and maintain museums of safety and hygiene, in which shall be exhibited safety devices, safe-

guards, and other means and methods for the protection of life, health, safety, and welfare of employees.

(4) To ascertain and fix such reasonable standards and to prescribe, modify, and enforce such reasonable orders for the adoption of safety devices, safeguards, and other means or methods of protection, to be as nearly uniform as possible, as may be necessary to carry out all laws and lawful orders relative to the protection of the life, health, safety, and welfare of employees in employments and places of employment or frequenters of places of employment.

(5) To ascertain, fix, and order such reasonable standards, rules, or regulations for the construction, repair, and maintenance of places of employment and public buildings as shall render them safe.

(6) To investigate, ascertain, and determine such reasonable classifications of persons, employments, places of employment, and public buildings as shall be necessary to carry out the purposes of sections 2394-41 to 2394-71, inclusive.

(7) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings; such rules and regulations shall not be effective until ten days after their publication. A copy of such rules and regulations shall be delivered to every citizen making application therefor and a copy delivered with every notice of hearing.

Rules, etc.

(8) To do all in its power to promote the voluntary arbitration, mediation, and conciliation of disputes between employers and employees, and to avoid the necessity of resorting to lockouts, boycotts, blacklists, discriminations, and legal proceedings in matters of employment. In pursuance of this duty it may appoint temporary boards of arbitration, provide necessary expenses of such boards, order reasonable compensation, not exceeding five dollars per day, for each member engaged in such arbitration, prescribe rules of procedure for such arbitration boards, conduct investigations and hearings, publish reports and advertisements, and may do all other things convenient and necessary to accomplish the purposes directed in sections 2394-41 to 2394-71, inclusive. The commission shall designate a deputy to be known as chief mediator and may detail other deputies from time to time to act as his assistants for the purpose of executing these provisions. Deputies may act on temporary boards without extra compensation.

Arbitration.

(9) To establish and conduct free employment agencies, to license and supervise the work of private employment offices, to do all in its power to bring together employers seeking employees and working people seeking employment, to make known the opportunities for self-employment in this State, to aid in procuring employment for the blind adults of the State, to aid in inducing minors to undertake promising skilled employments, to provide industrial or agricultural training for vagrants and other persons unsuited for ordinary employments, and to encourage wage earners to insure themselves against distress from unemployment. It shall investigate the extent and causes of unemployment in the State of Wisconsin and the remedies therefor in this and other countries, and it shall devise and adopt the most efficient means within its power to avoid unemployment, to provide employment, and to prevent distress from involuntary idleness.

Employment service.

(10) To collect, collate, and publish statistical and other information relating to the work under its jurisdiction and to make public reports in its judgment necessary.

Statistics.

(11) To rent, furnish and equip \* \* \* such offices as needed in cities for the conduct of its affairs.

SEC. 2394-54. 1. All duties, liabilities, authority, powers, and privileges heretofore or hereafter conferred and imposed by law ties. Transfer of du-

upon the commissioner of labor and industrial statistics, deputy commissioner of labor and industrial statistics, factory inspector, woman factory inspector, and assistant factory inspectors, are hereby imposed and conferred upon the industrial commission and its deputies.

2. All laws relating or referring to the commissioner of labor and industrial statistics, and the deputy commissioner of labor and industrial statistics, except those laws relating or referring to their appointment and qualification and to their membership or service on the industrial accident board and all laws relating or referring to the factory inspector, the woman factory inspector, and assistant factory inspectors, shall apply to and be deemed to relate and refer to the industrial commission, so far as the said laws are applicable.

Orders.

SEC. 2394-55. All orders of the industrial commission in conformity with law shall be in force, and shall be prima facie lawful; and all such orders shall be valid and in force, and prima facie reasonable and lawful until they are found otherwise in an action brought for that purpose, pursuant of the provisions of section 2394-69 of the statutes, or until altered or revoked by the commission.

In effect.

SEC. 2394-56. 1. All general orders shall take effect within thirty days after their publication in the official State papers. Special orders shall take effect as therein directed.

2. The commission shall, upon application of any employer or owner, grant such time as may be reasonably necessary for compliance with any order.

3. Any person may petition the commission for an extension of time, which the commission shall grant if it finds such an extension of time necessary.

Petitions for hearing.

SEC. 2394-57. 1. Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the commission in the manner provided in sections 2394-41 to 2394-71, inclusive.

2. Such petition for hearing shall be by verified petition filed with the commission, setting out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the commission on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition. All hearings of the commission shall be open to the public.

3. Upon receipt of such petition, if the issues raised in such petition have theretofore been adequately considered, the commission shall determine the same by confirming without hearing its previous determination, or if such hearing is necessary to determine the issues raised, the commission shall order a hearing thereon and consider and determine the matter or matters in question at such times as shall be prescribed. Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the commission may find directly interested in such decision.

4. Upon such investigation, if it shall be found that the order complained of is unjust or unreasonable the commission shall substitute therefor such other order as shall be just and reasonable.

5. Whenever at the time of the final determination upon such hearing it shall be found that further time is reasonably necessary for compliance with the order of the commission, the commission shall grant such time as may be reasonably necessary for such compliance.

Local authorities.

SEC. 2394-58. 1. Nothing contained in sections 2394-41 to 2394-71, inclusive, shall be construed to deprive the common council, the board of aldermen, the board of trustees or the village board of any village or city, or the board of health of

any municipality of any power or jurisdiction over or relative to any place of employment or public building, provided that, whenever the industrial commission shall, by an order, fix a standard of safety or any hygienic condition for employments or places of employment or public buildings, such order shall, upon the filing by the commission of a copy thereof with the clerk of the village or city to which it may apply, be held to amend or modify any similar conflicting local order in any particular matters governed by said order. Thereafter no local officer shall make or enforce any order contrary thereto.

2. Any person affected by any local order in conflict with an order of the commission, may in the manner provided in section 2394-57 of the statutes, petition the industrial commission for a hearing on the ground that such local order is unreasonable and in conflict with the order of the commission. The petition for such hearing shall conform to the requirements set forth for a petition in said section 2394-57 of the statutes.

3. Upon receipt of such petition the commission shall order a hearing thereon, to consider and determine the issues raised by such appeal, such hearing to be held in the village, city, or municipality where the local order appealed from was made. Notice of the time and place of such hearing shall be given to the petitioner and such other persons as the commission may find directly interested in such decision, including the clerk of the municipality or town from which such appeal comes. If upon such investigation it shall be found that the local order appealed from is unreasonable and in conflict with the order of the commission, the commission may modify its order and shall substitute for the local order appealed from such order as shall be reasonable and legal in the premises, and thereafter the said local order shall, in such particulars, be void and of no effect.

SEC. 2394-59. 1. No action, proceeding or suit to set aside, vacate, or amend any order of the commission or to enjoin the enforcement thereof, shall be brought unless the plaintiff shall have applied to the commission for a hearing thereon at the time and as provided in section 2394-57 of the statutes, and in the petition therefor shall have raised every issue raised in such action.

Hearings.

2. Every order of the commission shall, in every prosecution for violation thereof, be conclusively presumed to be just, reasonable, and lawful, unless prior to the institution of prosecution for such violation an action shall have been brought to vacate and set aside such order, as provided in section 2394-68 of the statutes.

SEC. 2394-60. Every day during which any person, persons, corporation, or any officer, agent, or employee thereof, shall fail to observe and comply with any order of the commission or to perform any duty enjoined by sections 2394-41 to 2394-71, inclusive, shall constitute a separate and distinct violation of such order, or of said section, as the case may be.

Separate violations.

SEC. 2394-61. Each of the commissioners, for the purposes mentioned in sections 2394-41 to 2394-71, inclusive, shall have power to administer oaths, certify to official acts, issue subpoenas, compel the attendance of witnesses, and the production of papers, books, accounts, documents, and testimony. In case of failure of any person to comply with any order of the commission or any subpoena lawfully issued or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated, it shall be the duty of the circuit court of any county, or the judge thereof, on application of a commissioner to compel obedience by attachment proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court, or a refusal to testify therein.

Powers.

SEC. 2394-62. Each witness who shall appear before the commission by its order shall receive for his attendance the fees and mileage now provided for witnesses in civil cases in courts of record, which shall be audited and paid by the State in the same

Witnesses.

manner as other expenses are audited and paid, upon the presentation of properly verified vouchers approved by the chairman of the commission. But no witness subpoenaed at the instance of parties other than the commission shall be entitled to compensation from the State for attendance or travel unless the commission shall certify that his testimony was material to the matter investigated.

**Depositions.** SEC. 2394-63. The commission or any party may in any investigation cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in circuit courts.

**Records.** SEC. 2394-64. A full and complete record shall be kept of all proceedings had before the commission on any investigation and all testimony shall be taken down by the stenographer appointed by the commission.

**Special agents.** SEC. 2394-65. 1. For the purpose of making any investigation with regard to any employment or place of employment or public building, the commission shall have power to appoint, by an order in writing, any member of the commission, any deputy who is a citizen of the State, or any other competent person as an agent whose duties shall be prescribed in such order.

2. In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this act to the commission, and the same powers as a court commissioner with regard to the taking of depositions; and all powers granted by law to a court commissioner relative to depositions are hereby granted to such agent.

3. The commission may conduct any number of such investigations contemporaneously through different agents, and may delegate to such agent the taking of all testimony bearing upon any investigation or hearing. The decision of the commission shall be based upon its examination of all testimony and records. The recommendations made by such agents shall be advisory only and shall not preclude the taking of further testimony if the commission so order nor further investigation.

**Special prosecutor.** SEC. 2394-66. 1. The commission shall have authority to direct any deputy who is a citizen to act as special prosecutor in any action, proceeding, investigation, hearing, or trial relating to the matters within its jurisdiction.

2. Upon the request of the commission, the attorney general or district attorney of the county in which any investigation, hearing, or trial had under the provisions of sections 2394-41 to 2394-71, inclusive, is pending, shall aid therein and prosecute under the supervision of the commission, all necessary actions or proceedings for the enforcement of said sections and all other laws of this State relating to the protection of life, health, safety, and welfare, and for the punishment of all violations thereof.

**Technical omissions.** SEC. 2394-67. A substantial compliance with the requirements of sections 2394-41 to 2394-71, inclusive, shall be sufficient to give effect to the orders of the commission, and they shall not be declared inoperative, illegal, or void for any omission of a technical nature in respect thereto.

**Review.** SEC. 2394-68. 1. Any employer, owner, or other person in interest being dissatisfied with any order of the commission may commence an action in the circuit court for Dane County against the commission as defendant to vacate and set aside any such order on the ground that the order is unlawful, or that any such order is unreasonable, in which action the complaint shall be served with the summons.

2. The answer of the commission to the complaint shall be served and filed within ten days after service of the complaint, whereupon said action shall be at issue and stand ready for trial upon ten days' notice to either party.

3. All such actions shall have precedence over any civil cause of a different nature pending in such court, and the circuit court shall always be deemed open for the trial thereof, and the same shall be tried and determined as other civil actions.

4. No injunction shall issue suspending or staying any order of the commission, except upon application to the circuit court or the presiding judge thereof, notice to the commission and hearing.

SEC. 2394-69. 1. If upon trial of such action it shall appear that all issues arising in such action have not theretofore been presented to the commission in the petition filed as provided in section 2394-57, or that the commission has not theretofore had an ample opportunity to hear and determine any of the issues raised in such action, or has for any reason, not in fact heard and determined the issues raised, the court shall, before proceeding to render judgment, unless the parties to such action stipulate to the contrary, transmit to the commission a full statement of such issue or issues not adequately considered, and shall stay further proceedings in such action for fifteen days from the date of such transmission, and may thereafter grant such further stays as may be necessary. Stay of proceedings.

2. Upon the receipt of such statement, the commission shall consider the issues not theretofore considered, and may alter, modify, amend or rescind its order complained of in said action, and shall report its action thereon to said court within ten days from the receipt of the statement from the court for further hearing and consideration.

3. The court shall thereupon order such amendment or other proceeding as may be necessary to raise the issues as charged by such modification of the order as may have been made by the commission upon the hearing, if any such modification has in fact been made, and shall proceed with such action.

SEC. 2394-70. If any employer, employee, owner or other person shall violate any provisions of sections 2394-41 to 2394-55, inclusive, of the statutes, or shall do any act prohibited in sections 2394-41 to 2394-71, inclusive, or shall fail or refuse to perform any duty lawfully enjoined, within the time prescribed by the commission, for which no penalty has been specifically provided, or shall fail, neglect or refuse to obey any lawful order given or made by the commission, or any judgment or decree made by any court in connection with the provisions of sections 2394-41 to 2394-71, inclusive, for each such violation, failure or refusal, such employer, employee, owner or other person shall forfeit and pay into the State treasury a sum not less than ten dollars nor more than one hundred dollars for each such offense. It shall be the duty of all officers of the State, the counties and municipalities, upon request of the industrial commission, to enforce in their respective departments, all lawful orders of the industrial commission, in so far as the same may be applicable and consistent with the general duties of such officers. Violations.

[The personnel comprises the 3 commissioners, a secretary, assistant secretary, 5 clerks and stenographers; 3 engineers in the safety and sanitation department, with 24 deputies, etc., and 11 clerks and stenographers; a director of the employment department, a deputy, and 33 employees; a director of the women's department and one of the children's department, with 6 deputies and 8 clerks and stenographers; a supervisor of the apprenticeship department, with 3 deputies and a clerk; and a statistician in charge of the statistical department.]

## WYOMING.

### ACTS OF 1917.

#### CHAPTER 113.—*Commissioner of labor and statistics.*

**Office created.** SECTION 1. There is hereby created the office of commissioner of labor and statistics, whose powers and duties shall be as hereinafter provided.

**Commissioner.** SEC. 2 (as amended by chapter 31, Acts of 1919). The governor shall within thirty days after the passage of this act appoint a commissioner of labor and statistics whose term shall be four years and until his successor is appointed and qualified. In case of a vacancy in the office caused by death, resignation, or incapacity to act the governor shall fill such vacancy by an appointment for the unexpired term.

**Office.** SEC. 3. The commissioner of labor and statistics shall be furnished with office room in the capitol building in the State capital in which he shall maintain his office and records.

**Duties.** SEC. 4 (as amended by chapter 31, Acts of 1919). It shall be the duty of the commissioner of labor and statistics to enforce all laws enacted by the Legislature of Wyoming, relating to labor, hours of labor, and to the health, welfare, life, and limb of the workers of this State; to see that workers are protected in the collection of their wages lawfully due; to make such inspections as may be by him deemed necessary of the industrial establishments and buildings hereinafter provided for; to make an inspection of all living accommodations provided for employees wherever employed, where such are furnished as a part of the wages, and to report biennially his findings to the governor, together with such recommendations thereon as he may consider as being helpful.

**Report.** SEC. 5. The commissioner of labor shall collect, classify, have printed, and submit to the governor in the biennial report of the commissioner of labor and statistics, as hereinafter provided, the following statistics touching the industrial life of the State, to wit: The hours of labor and number of [each] sex engaged in manual labor, the aggregate and average daily wages classified by sex and occupation, the number and character of accidents, the working conditions of all industrial establishments (including manufacturing establishments, hotels, stores, workshops, theaters, halls, and other places where labor is employed), and such other information relating to industrial, economic, social, educational, moral, and sanitary conditions of the working class, as the commissioner may deem needful to protect the work of his office; and such [commissioner] shall also gather all available statistics from similar departments in other States as may by him be deemed advisable.

**Access to work places.** SEC. 9. The commissioner of labor shall have power to enter any manufacturing establishment, mill, workshop, office, bakery, laundry, store, hotel, theater, hall, or any public or private works where labor is employed, rooms are rented to the public, or machinery is used, for the purpose of enforcing the provisions of this act.

**Witnesses.** SEC. 10. The commissioner of labor shall have the power to administer oaths, to examine witnesses under oath, to compel the attendance of witnesses, and the giving of testimony in any part of this State. Witnesses may be summoned by the commissioner in [by] process issued in same manner as in district court: *Provided*, That no witness shall be compelled to go outside of the county in which he or she resides to testify.

SEC. 11. The county and prosecuting attorney of any county in this State shall, upon complaint on oath, of the commissioner of labor, prosecute to termination before any court of competent jurisdiction, in the name of the State of Wyoming, actions or proceedings against any person or persons charged with violation of any of the provisions of this act, or any of the laws of this State enacted for the protection of employees.

Prosecutions.

SEC. 12. On or before the first day of December, 1918, and biennially thereafter, the commissioner of labor shall make a complete report to the governor in writing, which report shall cover statistics gathered in this State, the conditions discovered by his inspections of industrial establishments in this State, relating particularly to industrial or working conditions, and the economic, social, educational, moral, and sanitary conditions of the workers therein; the efforts made to enforce the laws as comprehended by this act; together with such recommendations as he shall deem advisable as relating to the welfare of the working people of the State and to the efficiency of his office.

Reports.

SEC. 13. The commissioner of labor, before entering upon the duties of his office, shall take the oath of office prescribed by law, and shall enter into a bond, with sufficient sureties to the State of Wyoming, in the sum of \$2,000 conditioned for the faithful performance and discharge of the duties of his office.

Oath.

Bond.

SEC. 14 (as amended by chapter 31, Acts of 1919). The salary of the commissioner of labor shall be two thousand five hundred dollars (\$2,500) per annum, such compensation to be audited and paid in the same manner as the salaries of other State officers. The commissioner shall appoint a deputy commissioner of labor whose salary shall be one thousand eight hundred dollars (\$1,800) per annum, such compensation to be audited and paid monthly as other State salaries are paid. The deputy labor commissioner shall work under the direction of the commissioner of labor and statistics who shall be responsible for his official acts. His term of office shall extend during the pleasure of the commissioner of labor and statistics or until his successor is appointed.

Salaries.

SEC. 15 (as amended by chapter 31, Acts of 1919). In addition to the salaries provided for in the preceding section, the commissioner of labor shall be allowed for the other expenses of his office the sum of two thousand five hundred dollars (\$2,500) per annum; all such compensation for expenses shall be audited and paid in the same manner as the expenses of other State officers: *Provided*, Said commissioner shall have printed not more than one thousand five hundred copies of his biennial report for the use of his office and general distribution; also such printed matter and supplies as may be necessary for the conduct of his office, and the expenses thereof shall be audited in the same manner as other State printing and supplies.

Expenses.

SEC. 16. Any person who violates or omits to comply with any of the provisions of this act or any of the lawful orders of the commissioner of labor shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars (\$100) or by imprisonment in the county jail not to exceed ninety days (90), or by both such fine and imprisonment, in the discretion of the court.

Violations.

SEC. 17. Provided nothing herein contained shall be construed to be applicable to coal and metalliferous mines and workshops connected therewith as such mines and workshops are by law placed under the jurisdiction of State coal mine inspectors or of the State geologist, nor shall anything herein be construed to apply to railroads engaged in interstate commerce or workshops connected therewith, the same being under Federal jurisdiction.

Exemptions.

Approved February 21, 1917.

[The office consists of the commissioner and a deputy.]

**UNITED STATES.**  
**ACTS OF CONGRESS.**

*An act to establish a Department of Labor.*

[25 Stat. 182.]

- Department created.** **SECTION 1.** There shall be at the seat of government a Department of Labor, the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word, and especially upon its relation to capital, the hours of labor, the earnings of laboring men and women, and the means of promoting their material, social, intellectual, and moral prosperity.
- Commissioner.** **SEC. 2.** The Department of Labor shall be under the charge of a Commissioner of Labor, who shall be appointed by the President, by and with the advice and consent of the Senate; he shall hold his office for four years, unless sooner removed, and shall receive a salary of five thousand dollars per annum.
- Chief clerk.** **SEC. 4.** During the necessary absence of the commissioner, or when the office shall become vacant, the chief clerk shall perform the duties of commissioner.
- Duties.** **SEC. 7.** \* \* \* It shall be the duty of the commissioner also to ascertain and report as to the effect of the customs laws, and the effect thereon of the state of the currency, in the United States, on the agricultural industry, especially as to its effect on mortgage indebtedness of farmers. \* \* \* He shall also establish a system of reports by which, at intervals of not less than two years, he can report the general condition, so far as production is concerned, of the leading industries of the country. The Commissioner of Labor is also specially charged to investigate the causes of, and facts relating to, all controversies and disputes between employers and employees as they may occur, and which may tend to interfere with the welfare of the people of the different States, and report thereon to Congress. The Commissioner of Labor shall also obtain such information upon the various subjects committed to him as he may deem desirable from different foreign nations, and what, if any, convict-made goods are imported into this country, and if so, from whence.

Approved June 13, 1888.

*An act making appropriation for legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes.*

[28 Stat. 805.]

- Bulletins.** The Commissioner of Labor is hereby authorized to prepare and publish a bulletin of the Department of Labor, as to the condition of labor in this and other countries, condensations of State and foreign labor reports, facts as to conditions of employment, and such other facts as may be deemed of value to the industrial interests of the country, and there shall be printed one edition of not exceeding ten thousand copies of each issue of said bulletin for distribution by the Department of Labor.<sup>1</sup>

Approved March 2, 1895.

<sup>1</sup> The sundry civil appropriation bill of June 4, 1897 (30 Stat. L. 81), authorizes the printing of 15,000 copies of each issue, while that of June 6, 1900 (31 Stat. L. 644), authorizes not to exceed 20,000 copies of any single issue as an extra edition.

*An act to provide a government for the Territory of Hawaii.*

[31 Stat. 155.]

SECTION 76 (as amended by act of April 8, 1904 [33 Stat. 164]).  
 \* \* \* It shall be the duty of the United States Commissioner of Labor to collect, assort, arrange, and present in reports in nineteen hundred and five, and every five years thereafter, statistical details relating to all departments of labor in the Territory of Hawaii, especially in relation to the commercial, industrial, social, educational, and sanitary condition of the laboring classes, and to all such other subjects as Congress may by law direct. The said commissioner is especially charged to ascertain the highest, lowest, and average number of employees engaged in the various industries in the Territory, to be classified as to nativity, sex, hours of labor, and conditions of employment, and to report the same to Congress.<sup>2</sup>

Statistics.

*An act to establish the Department of Commerce and Labor.*

[32 Stat. 825.]

SECTION 1. There shall be at the seat of government an executive department to be known as the Department of Commerce and Labor, \* \* \*

Department created.

SEC. 4. \* \* \* The Department of Labor \* \* \* and all that pertains to the same, hereby are placed under the jurisdiction and made a part of the Department of Commerce and Labor; \* \* \*

Transfer.

Approved February 14, 1903.

*An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1907, and for other purposes.*

[34 Stat. 442.]

The following sums are hereby appropriated out of any money in the Treasury not otherwise appropriated, in full compensation for the service of the fiscal year ending June thirtieth, nineteen hundred and seven, for the objects hereinafter expressed, namely:

\* \* \* Bureau of Labor \* \* \* chief statistician, who shall also perform the duties of chief clerk, three thousand dollars.  
 \* \* \*

Title of chief clerk.

Approved June 22, 1906.

*An act creating a Department of Labor.*

[37 Stat. 736.]

SECTION 1. There is hereby created an executive department in the Treasury to be called the Department of Labor, with a Secretary of Labor, who shall be the head thereof, to be appointed by the President, by and with the advice and consent of the Senate; and who shall receive a salary of twelve thousand dollars per annum, and whose tenure of office shall be like that of the heads of the other executive departments; and section one hundred and fifty-eight of the Revised Statutes is hereby amended to include such department, and the provisions of title four of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department; and the Department of Commerce and Labor shall hereafter be called the Department of Commerce, and the Secretary thereof shall be called the Secretary of Commerce, and the act creating the said Department of Com-

Department created.

<sup>2</sup>The original act called for annual reports; otherwise it was almost identical with the act as amended.

- Purpose.** merce and Labor is hereby amended accordingly. The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment. The said Secretary shall cause a seal of office to be made for the said department of such device as the President shall approve and judicial notice shall be taken of the said seal.
- Assistant Secretary, etc.** SEC. 2. There shall be in said department an Assistant Secretary of Labor, to be appointed by the President, who shall receive a salary of five thousand dollars a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk, and such other clerical assistants, inspectors, and special agents as may from time to time be provided for by Congress. The Auditor for the State and Other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Labor and of all bureaus and offices under his direction, and all accounts relating to all other business within the jurisdiction of the Department of Labor, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the Secretary of Labor.
- Officers transferred.** SEC. 3. The following-named officers, bureaus, divisions, and branches of the public service now and heretofore under the jurisdiction of the Department of Commerce and Labor, and all that pertains to the same, known as the Commissioner General of Immigration, the commissioners of immigration, the Bureau of Immigration and Naturalization, the Division of Information, the Division of Naturalization, and the immigration service at large, the Bureau of Labor, the Children's Bureau, and the Commissioner of Labor hereby are transferred from the Department of Commerce and Labor to the Department of Labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department. The Bureau of Immigration and Naturalization is hereby divided into two bureaus, to be known hereafter as the Bureau of Immigration and the Bureau of Naturalization, and the titles Chief [of] Division of Naturalization and Assistant Chief shall be Commissioner of Naturalization and Deputy Commissioner of Naturalization. The Commissioner of Naturalization or, in his absence, the Deputy Commissioner of Naturalization shall be the administrative officer in charge of the Bureau of Naturalization and of the administration of the naturalization laws under the immediate direction of the Secretary of Labor, to whom he shall report directly upon all naturalization matters annually and as otherwise required, and the appointments of these two officers shall be made in the same manner as appointments to competitive classified civil-service positions. The Bureau of Labor shall hereafter be known as the Bureau of Labor Statistics, and the Commissioner of the Bureau of Labor shall hereafter be known as the Commissioner of Labor Statistics; and all the powers and duties heretofore possessed by the Commissioner of Labor shall be retained and exercised by the Commissioner of Labor Statistics; \* \* \*
- New bureau.**
- Bureau of Labor Statistics.**
- Duties.** SEC. 4. The Bureau of Labor Statistics, under the direction of the Secretary of Labor, shall collect, collate, and report at least once each year, or oftener if necessary, full and complete statistics of the conditions of labor and the products and distribution of the products of the same, and to this end said Secretary shall have power to employ any or either of the bureaus provided for his department and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interests; and said Secretary shall also have authority to call upon other departments of the Government for statistical data and results obtained by them; and said Secretary of Labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

SEC. 5. The official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Labor, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be transferred to the Department of Labor.

Transfer of records.

SEC. 6. The Secretary of Labor shall have charge in the buildings or premises occupied by or appropriated to the Department of Labor of the library, furniture, fixtures, records, and other property pertaining to it or hereafter acquired for use in its business; he shall be allowed to expend for periodicals and the purposes of the library and for rental of appropriate quarters for the accommodation of the Department of Labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the Department of Labor by this act is occupying rented buildings or premises, it may still continue to do so until other suitable quarters are provided for its use: *And provided further,* That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Labor are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further,* That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Labor shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect, to be executed under the direction of the Secretary of Labor.

Quarters.

Officers, clerks, etc.

SEC. 7. There shall be a solicitor of the Department of Justice for the Department of Labor, whose salary shall be five thousand dollars per annum.

Solicitor.

SEC. 8. The Secretary of Labor shall have power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial peace may require it to be done; and all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Labor.

Conciliation.

SEC. 9. The Secretary of Labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary.

Reports.

SEC. 10. The Secretary of Labor shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Labor with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to labor and its conditions, in order to harmonize and unify such activities, duties, and powers, with a view to further legislation to further define the duties and powers of such Department of Labor.

Organization.

Approved, March 4, 1913.

*Department of Labor—Second Assistant Secretary.*

[42 Stat. 766.]

**Appointment.** SECTION 1. There shall be in the Department of Labor an additional Secretary, who shall be known and designated as Second Assistant Secretary of Labor. He shall be appointed by the President and shall receive a salary of \$5,000 a year. He shall perform such duties as shall be prescribed by the Secretary of Labor, or required by law, and in case of the death, resignation, absence, or sickness of the Assistant Secretary, shall, until a successor is appointed or such absence or sickness shall cease, perform the duties devolving upon the Assistant Secretary by reason of section 177, Revised Statutes, unless otherwise directed by the President, as provided by section 179, Revised Statutes.

Approved, June 30, 1922.

*An act making appropriations for the Departments of Commerce and Labor for the fiscal year ending June 30, 1924, and for other purposes.*

[42 Stat. 1110.]

The following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of Commerce and Labor for the fiscal year ending June 30, 1924, namely:

\* \* \* \* \*

## TITLE II.—DEPARTMENT OF LABOR.

## OFFICE OF THE SECRETARY.

**Salaries.**

Salaries: Secretary of Labor, \$12,000; Assistant Secretary, \$5,000; Second Assistant Secretary, \$5,000; chief clerk and superintendent, \$3,000; disbursing clerk, \$3,000; private secretary to the Secretary, \$2,500; clerk to the Secretary, \$1,800; private secretary to the Assistant Secretary, \$2,100; private secretary to the Second Assistant Secretary, \$2,100; chief of division of publications and supplies, \$2,500; appointment clerk, \$2,100; deputy disbursing clerk, \$2,100; assistant chief, division of publications and supplies, \$2,000; librarian, \$2,000; clerks—four of class four, eleven of class three, nine of class two, thirteen of class one, nine at \$1,000 each, four at \$900 each; three telephone switchboard operators at \$720 each; two messengers at \$840 each; five assistant messengers at \$720 each; five messenger boys at \$480 each; carpenter, \$1,200; engineer, \$1,100; two skilled laborers, at \$840 each; electrician, \$1,000; three firemen at \$720 each; eleven laborers at \$660 each (one of whom, when necessary, shall assist, and relieve the elevator conductor); lieutenant of the watch, \$840; six watchmen at \$720 each; thirteen charwomen at \$240 each; three elevator conductors at \$720 each; in all, \$147,480.

Commissioners of conciliation: To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the act creating the Department of Labor, and to appoint commissioners of conciliation, for per diem in lieu of subsistence at not exceeding \$4, traveling expenses, and not to exceed \$12,000 for personal services in the District of Columbia, and telegraph and telephone service, \$200,000.

## CONTINGENT EXPENSES, DEPARTMENT OF LABOR.

**Expenses.**

For contingent and miscellaneous expenses of the offices and bureaus of the department for which appropriations for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloth, file cases, towels, ice, brooms, soap,

sponges, laundry, street-car fares not exceeding \$200; lighting and heating; purchase, exchange, maintenance, and repair of motor cycles and motor trucks; purchase, exchange, maintenance, and repair of a motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; repairs to the building occupied by the office of the Secretary of Labor; purchase of law books, books of reference, and periodicals not exceeding \$3,000; in all, \$50,000; and in addition thereto such sum as may be necessary, not in excess of \$13,500, to facilitate the purchase, through the central purchasing office, as provided in the act of June 17, 1910 (36 Stat., L., p. 531), of certain supplies for the Immigration Service, shall be deducted from the appropriation "Expenses of regulating immigration" made for the fiscal year 1924 and added to the appropriation "Contingent expenses, Department of Labor," for that year; and the total sum thereof shall be and constitute the appropriation for contingent expenses for the Department of Labor, to be expended through the central purchasing office (Division of Publications and Supplies), Department of Labor.

**RENT:** For rent of buildings and parts of buildings in the District of Columbia for the use of the Department of Labor, \$24,000.

**Printing and binding:** For printing and binding for Department of Labor, including all its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$215,000.

#### BUREAU OF LABOR STATISTICS.

**Salaries:** Commissioner, \$5,000; chief statistician, who shall also perform the duties of chief clerk, \$3,000; statistician, \$3,000; six statistical experts, at \$2,000 each; employees—two at \$2,760 each, one \$2,520, five at \$2,280 each, one \$1,800, six at \$1,600 each, seven at \$1,400 each, two at \$1,200 each; special agents—four at \$1,800 each, six at \$1,600 each, eight at \$1,400 each, four at \$1,200 each; clerks—eight of class four, seven of class three, ten of class two, seventeen of class one, eight at \$1,000 each; two copyists at \$900 each; messenger, \$840; three assistant messengers, at \$720 each; two laborers, at \$660 each; in all, \$172,960.

Salaries.

**Per diem** in lieu of subsistence, not exceeding \$4, of special agents and employees, and for their transportation; experts and temporary assistance for field service outside of the District of Columbia, to be paid at the rate of not exceeding \$8 per day; temporary statistical clerks, stenographers, and typewriters in the District of Columbia, to be selected from civil-service registers and to be paid at the rate of not exceeding \$100 per month, the same person to be employed for not more than six consecutive months, the total expenditure for such temporary clerical assistance in the District of Columbia not to exceed \$6,000; traveling expenses of officers and employees, purchase of reports, and materials for reports and bulletins of the Bureau of Labor Statistics, \$69,000.

Expenses.

For periodicals, newspapers, documents, and special reports for the purpose of procuring strike data, price quotations, and court decisions for the Bureau of Labor Statistics, \$300.

#### BUREAU OF IMMIGRATION.

**Salaries:** Commissioner General, \$5,000; Assistant Commissioner General, who shall also act as chief clerk and actuary, \$3,500; private secretary, \$1,800; chief statistician, \$2,000; two law examiners, at \$2,000 each; clerks—five of class four, five of class three, eight of class two, ten of class one, nine at \$1,000 each, seven at \$900 each; two messengers, at \$840 each; assistant messenger, \$720; in all, \$74,200.

Salaries.

**Expenses.** Regulating immigration: For enforcement of the laws regulating immigration of aliens into the United States, including the contract labor laws; cost of reports of decisions of the Federal courts, and digests thereof, for the use of the Commissioner General of Immigration; salaries and expenses of all officers, clerks, and employees appointed to enforce said laws, including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; enforcement of the provisions of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States," and acts amendatory thereof; necessary supplies, including exchange of typewriting machines, alterations, and repairs, and for all other expenses authorized by said act; preventing the unlawful entry of Chinese into the United States by the appointment of suitable officers to enforce the laws in relation thereto; expenses of returning to China all Chinese persons found to be unlawfully in the United States, including the cost of imprisonment and actual expenses of conveyance of Chinese persons to the frontier or seaboard for deportation; refunding of head tax and maintenance bills upon presentation of evidence showing conclusively that collection was made through error of Government officers; all to be expended under the direction of the Secretary of Labor, \$3,300,000: *Provided*, That the purchase, exchange, use, maintenance, and operation of horse and motor vehicles required in the enforcement of the immigration and Chinese exclusion laws outside of the District of Columbia may be contracted for and the cost thereof paid from the appropriation for the enforcement of those laws under such terms and conditions as the Secretary of Labor may prescribe: *Provided further*, That not more than \$12,000 of the sum appropriated herein may be expended in the purchase and maintenance of such motor vehicles: *Provided further*, That the appropriation herein made for the enforcement of the immigration laws shall be available for carrying out the provisions of the act entitled "An act to exclude and expel from the United States aliens who are members of the anarchistic and similar classes," approved October 18, 1918, and acts amendatory thereof.

## BUREAU OF NATURALIZATION.

**Salaries.** Salaries: Commissioner, \$4,000; deputy commissioner, \$3,250; clerks—eight of class four, twelve of class three, sixteen of class two, sixteen of class one, ten at \$1,000 each, one \$900; messenger, \$900; messenger, \$840; two assistant messengers at \$720; messenger boy, \$480; in all, \$97,010.

**Expenses.** General expenses: For compensation, to be fixed by the Secretary of Labor, of examiners, interpreters, clerks, and stenographers, for the purpose of carrying on the work of the Bureau of Naturalization, provided for by the act approved June 29, 1906, as amended by the act approved March 4, 1913 (Stat. L., vol. 37, p. 736), and May 9, 1918 (Stat. L., vol. 40, p. 542 to 548, inclusive), including not to exceed \$50,000 for personal services in the District of Columbia, and for their actual and necessary traveling expenses while absent from their official stations, including street-car fare on official business at official stations, together with per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for such per diem, together with actual necessary traveling expenses, of officers and employees of the Bureau of Naturalization in Washington while absent on official duty outside of the District of Columbia; telegrams, verifications of legal papers, telephone service in offices outside of the District of Columbia; not to exceed \$25,000 for rent of offices outside of the District of Columbia where suitable quarters can not be obtained in public buildings; carrying into effect section 13 of the act of June 29,

1906 (34 Stat., p. 600), as amended by the act approved June 25, 1910 (36 Stat., p. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and for mileage and fees to witnesses subpoenaed on behalf of the United States, the expenditures from this appropriation shall be made in the manner and under such regulation as the Secretary of Labor may prescribe, \$600,000: *Provided*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts.

Lump sum.

## CHILDREN'S BUREAU.

Salaries: Chief, \$5,000; assistant chief, \$2,400; experts—one on sanitation \$2,800, industrial \$2,000, social service \$2,000, statistical \$2,000; administrative clerk, \$2,000; editor, \$2,000; special agents—one \$1,800, four at \$1,600 each, ten at \$1,400 each, twelve at \$1,200 each; private secretary to chief of bureau, \$1,500; clerks—two of class four, four of class three, four of class two, seventeen of class one, ten at \$1,000 each; copyist, \$900; messenger \$840; in all, \$106,040.

Salaries.

To investigate and report upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality, including personal services in the District of Columbia and elsewhere, \$120,000: *Provided*, That not exceeding twelve persons shall be employed hereunder at a rate of compensation of \$2,000 each per annum and above that sum.

Expenses.

For traveling expenses and per diem in lieu of subsistence at not exceeding \$4 of officers, special agents, and other employees of the Children's Bureau; experts and temporary assistants, to be paid at a rate not exceeding \$6 a day, and interpreters to be paid at a rate not exceeding \$4 a day when actually employed; purchase of reports and material for the publications of the Children's Bureau, newspapers and clippings to enable the Children's Bureau to secure data regarding the progress of legislation affecting children and the activities of public and private organizations dealing with children, and for reprints from State, city, and private publications for distribution when said reprints can be procured more cheaply than they can be printed by the Government, \$85,000.

Promotion of the welfare and hygiene of maternity and infancy: For carrying out the provisions of the act entitled "An act for the promotion of the welfare and hygiene of maternity and infancy, and for other purposes," approved November 23, 1921, \$1,240,000: *Provided*, That no salary shall be paid from the portion of this appropriation allotted for administrative purposes at a rate exceeding \$2,000 per annum except the following: One at \$3,600, one at \$3,500, and one at \$3,000.

## WOMEN'S BUREAU.

For carrying out the provisions of the act entitled "An act to establish in the Department of Labor a bureau to be known as the Women's Bureau," approved June 5, 1920, including personal services in the District of Columbia and elsewhere, purchase of material for reports and educational exhibits, and traveling expenses, \$105,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum except the following: One at \$5,000, one at \$3,500, one at \$3,000, one at \$2,500, three at \$2,200 each, and three at \$2,000 each.

General appropriation.

## EMPLOYMENT SERVICE.

To enable the Secretary of Labor to foster, promote, and develop the welfare of the wage earners of the United States, including juniors legally employed, to improve their working conditions, to advance their opportunities for profitable employment by

General appropriation.

regularly collecting, furnishing, and publishing employment information as to opportunities for employment; maintaining a system for clearing labor between the several States; cooperating with and coordinating the public employment offices throughout the country, including personal services in the District of Columbia and elsewhere, and for their actual necessary traveling expenses while absent from their official station, together with their per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914; supplies and equipment, telegraph and telephone service, and miscellaneous expenses, \$210,000.

Approved, January 5, 1923.

[Besides the statutory positions provided for in the appropriation act as above, it is also disclosed that a number of employees are paid from lump sum and general appropriations, varying<sup>ch</sup> according to needs.]

---

ADDITIONAL COPIES

OF THIS PUBLICATION MAY BE PROCURED FROM  
THE SUPERINTENDENT OF DOCUMENTS  
GOVERNMENT PRINTING OFFICE  
WASHINGTON, D. C.

AT

20 CENTS PER COPY

PURCHASER AGREES NOT TO RESELL OR DISTRIBUTE THIS<sup>ch</sup>  
COPY FOR PROFIT.—PUB. RES. 57, APPROVED MAY 11, 1922

▽