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. 389

MISCELLANEOUS SERIES

PROCEEDINGS OF THE ELEVENTH ANNUAL CONVENTION OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS OF THE UNITED STATES AND CANADA

HELD AT CHICAGO, ILLINOIS
MAY 19–23, 1924

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OFFICERS, 1923–24

President.—John Hopkins Hall, jr., Richmond, Va.
First vice president.—John S. B. Davie, Concord, N. H.
Second vice president.—T. A. Wilson, Little Rock, Ark.
Third vice president.—H. C. Hudson, Toronto, Canada.
Fourth vice president.—C. H. Gram, Salem, Oreg.
Fifth vice president.—Maud Swett, Milwaukee, Wis.
Secretary-treasurer.—Louise E. Schutz, St. Paul, Minn.

CONSTITUTION

Adopted at Chicago, Ill., May 20, 1924

ARTICLE I

SECTION 1. *Name.*—This organization shall be known as the Association of Governmental Labor Officials of the United States and Canada.

ARTICLE II

SECTION 1. *Objects.*—To act as a medium for the exchange of information for and by the members of the organization; to secure better legislation for the welfare of women and children in industry and the workers in general; to promote greater safety to life and property; to promote greater uniformity in labor-law enforcement, establishing of safety standards, compiling and disseminating labor and employment statistics; and to more closely correlate the activities of the Federal, State, and Provincial departments of labor.

ARTICLE III

SECTION 1. *Membership.*—The active membership of this association shall consist of:

(*a*) Members of the United States Department of Labor and the Department of Labor of the Dominion of Canada; such representatives of bureaus or departments of the United States or Canada being restricted by law from paying dues into this association may be members with all privileges of voice and vote, but are not eligible for election to office. They may serve on committees.

(*b*) Members of State and Provincial departments of labor.

(*c*) Members of Federal, State, or Provincial employment services.

SEC. 2. *Honorary members.*—Any person who has rendered service while connected with any Federal, State, and Provincial department of labor, may be elected to honorary membership by a unanimous vote of the executive board.

ARTICLE IV

SECTION 1. *Officers.*—The officers of this association shall be a president, a first, second, third, fourth, and fifth vice president and a secretary-treasurer. These officers shall constitute the executive board.

SEC. 2. *Election of officers.*—Such officers shall be elected from the members at the regular annual business meeting of the association by a majority ballot, and shall hold office for one year, or until their successors are elected and qualified.

SEC. 3. The officers shall be elected from representatives of the active membership of the association, except as otherwise stated in Article III.

ARTICLE V

SECTION 1. *Duties of the officers.*—The president shall preside at all meetings of the association and the executive board, preserve order during its deliberations, appoint all committees and sign all records, vouchers, or other documents in connection with the work of the association.

SEC. 2. The vice presidents, in order named, shall perform the duties of the president in his absence.

SEC. 3. The secretary-treasurer shall have charge of all books, papers, records, and other documents of the association; shall receive and have charge of all dues and other moneys; shall keep a full and complete record of all receipts and disbursements; shall keep the minutes of all meetings of the association and the executive board; shall conduct all correspondence pertaining to the office; shall compile statistics and other data as may be required for the use of the members of the association; and shall perform such other duties as may be directed by the convention or the executive board. The secretary-treasurer shall present a detailed written report of receipts and expenditures to the convention; shall pay out no money until a voucher has been issued and signed by the president. The secretary-treasurer shall publish the proceedings of the convention, within four months after the close of the convention, the issue to consist of such numbers of copies as the executive board may direct. The secretary-treasurer shall receive such salary as the executive board may decide, but not less than $180 per year.

SEC. 4. In the event of a vacancy in any office, the executive board may elect a successor: *Provided,* The president shall be succeeded by the ranking vice president.

SEC. 5. The business of the association between conventions shall be conducted by the executive board, and all questions coming before the board shall be decided by majority vote, except that of the election of honorary members, which shall be by unanimous vote.

ARTICLE VI

SECTION 1. *Finances.*—The revenues of the association shall be derived from annual dues determined on the following basis: (*a*) Federal, State, or Provincial departments of labor, when the department staff consists of 1 to 5 persons, $10; 6 to 25 persons, $15; 26 to 75 persons, $25; more than 75 persons, $50.

The executive board may order an assessment levied upon affiliated departments not to exceed one year's dues.

ARTICLE VII

SECTION 1. *Who entitled to vote.*—All active members shall be entitled to vote on all questions coming before the meeting of the association, as hereinafter provided.

SEC. 2. In electing officers of the association, State departments of labor represented by several delegates shall only be entitled to one vote. The delegates from such departments must select one person from their representatives to cast the vote of the group.

The various bureaus of the United States Department of Labor and the Department of Labor of Canada may each be entitled to one vote.

The rule for electing officers shall apply to the vote for selecting convention city.

ARTICLE VIII

SECTION 1. *Meetings.*—The association shall meet at least once annually at such time and place as the association in convention may select. The date of the annual meeting shall be decided by the executive board unless otherwise ordered by the convention.

ARTICLE IX

SECTION 1. *Program.*—The executive board shall act as committee on program and shall prepare and publish the convention programs of the association.

SEC. 2. The committee on program shall set aside at least one session of the convention as a business session, at which session the regular order of business, election of officers, and selection of convention city shall be taken up, and no other business shall be considered at that session until the "regular order" has been completed.

ARTICLE X

SECTION 1. *Rules of order.*—The deliberations of the convention shall be governed by "Cushing's Manual."

ARTICLE XI

SECTION 1. *Amendments.*—Amendments to the constitution must be filed with the secretary-treasurer in triplicate and referred to the committee on constitution and by-laws. A two-thirds vote of all delegates shall be required to adopt any amendment.

ARTICLE XII

SECTION 1. *Order of business*—

1. Roll call of members by States and Provinces.
2. Appointment of committees.
   (*a*) Committee of five on officers' reports.
   (*b*) Committee of five on resolutions.
   (*c*) Committee of three on constitution and by-laws.
   (*d*) Special committees.
3. Reports of officers.
4. Reports of States and Provinces.
5. Reports of committees.
6. Unfinished business.
7. New business.
8. Selection of place of meeting.
9. Election of officers.
10. Adjournment.

DEVELOPMENT OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS

ASSOCIATION OF CHIEFS AND OFFICIALS OF BUREAUS OF LABOR

No.	Date	Convention held at—	President	Secretary-treasurer
1	September, 1883	Columbus, Ohio	H. A. Newman	Henry Luskey.
2	June, 1884	St. Louis, Mo	do	Do.
3	June, 1885	Boston, Mass	Carroll D. Wright	John S. Lord.
4	June, 1886	Trenton, N. J	do	E. R. Hutchins.
5	June, 1887	Madison, Wis	do	Do.
6	May, 1888	Indianapolis, Ind	do	Do.
7	June, 1889	Hartford, Conn	do	
	1890	Des Moines, Iowa	No meeting	Do.
8	May, 1891	Philadelphia, Pa	Carroll D. Wright	Frank H. Betton.
9	May, 1892	Denver, Colo	Charles F. Peck	Do.
	1893	Albany, N. Y		
10	May, 1894	Washington, D. C	Carroll D. Wright	L. G. Powers.
11	September, 1895	Minneapolis, Minn	do	Do.
12	June, 1896	Albany, N. Y	do	Samuel B. Horne.
13	May, 1897	Nashville, Tenn	do	Do.
14	June, 1898	Detroit, Mich	do	Do.
15	July, 1899	Augusta, Me	do	Do.
16	July, 1900	Milwaukee, Wis	do	James M. Clark.
17	May, 1901	St. Louis, Mo	do	Do.
18	April, 1902	New Orleans, La	do	Do.
19	April, 1903	Washington, D. C	do	Do.
20	July, 1904	Concord, N. H	do	Do.
21	September, 1905	San Francisco, Calif	do	W. L. A. Johnson.
22	July, 1906	Boston, Mass	Charles P. Neill	Do.
23	July, 1907	Norfolk, Va	do	Do.
24	August, 1908	Detroit, Mich	do	Do.
25	June, 1909	Rochester, N. Y	do	Do.

INTERNATIONAL ASSOCIATION OF FACTORY INSPECTORS

	June, 1887	Philadelphia, Pa	Rufus R. Wade	Henry Dorn.
2	August, 1888	Boston, Mass	do	Do.
3	August, 1889	Trenton, N. J	do	Do.
4	August, 1890	New York, N. Y		
5	August, 1891	Cleveland, Ohio		
6	September, 1892	Hartford, Conn		
7	September, 1893	Chicago, Ill	John Franey	Mary A. O'Reilly.
8	September, 1894	Philadelphia, Pa	do	Evan H. Davis
9	September, 1895	Providence, R. I		
10	September, 1896	Toronto, Canada		
11	August and September, 1897	Detroit, Mich	Rufus R. Wade	Alzina P. Stevens.
12	September, 1898	Boston, Mass	do	Joseph L. Cox.
13	August, 1899	Quebec, Canada		
14	October, 1900	Indianapolis, Ind		
15	September, 1901	Niagara Falls, N. Y		
16	December, 1902	Charleston, S. C		
17	August, 1903	Montreal, Canada	James Mitchell	David F. Spees.
18	September, 1904	St. Louis, Mo	Daniel H. McAbee	Do.
19	August, 1905	Detroit, Mich	Edgar T. Davies	C. V. Hartzell.
20	June, 1906	Columbus, Ohio	Malcolm J. McLead	Thos. Keity
21	June, 1907	Hartford, Conn	John H. Morgan	Do.
22	June, 1908	Toronto, Canada	George L. McLean	Do.
23	June, 1909	Rochester, N. Y	James T. Burke	Do.

JOINT MEETINGS OF THE ASSOCIATION OF CHIEFS AND OFFICIALS OF BUREAUS OF LABOR AND INTERNATIONAL ASSOCIATION OF FACTORY INSPECTORS

24	August, 1910	Hendersonville, N. C., and Columbia, S. C.	J. Ellery Hudson	E. J. Watson.
25	September, 1911	Lincoln, Nebr	Louis Guyon	W. W. Williams.
26	September, 1912	Washington, D. C	Edgar T. Davies	Do.
27	May, 1913	Chicago, Ill	A. L. Garrett	W. L. Mitchell.

DEVELOPMENT OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS—Continued

ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS

Resulting from the Amalgamation of the Association of Chiefs and Officials of Bureaus of Labor and the International Association of Factory Inspectors

No.	Date	Convention held at—	President	Secretary-treasurer
1	June, 1914	Nashville, Tenn	Barney Cohen	W. L. Mitchell.
2	June–July, 1915	Detroit, Mich	do	John T. Fitzpatrick.
3	July, 1916	Buffalo, N. Y	James V. Cunningham	Do.
4	September, 1917	Asheville, N. C	Oscar Nelson	Do.
5	June, 1918	Des Moines, Iowa	Edwin Mulready	Linna E. Bresette.
6	June, 1919	Madison, Wis	C. H. Younger	Do.
7	July, 1920	Seattle, Wash	Geo. P. Hambrecht	Do
8	May, 1921	New Orleans, La	Frank E. Hoffman	Do
9	May, 1922	Harrisburg, Pa	Frank E. Wood	Do.
10	May, 1923	Richmond, Va	C. B. Connelley	Louise Schutz.
11	May, 1924	Chicago, Ill	John Hopkins Hall, jr	Do.

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MONDAY, MAY 19—EVENING SESSION

GEORGE B. ARNOLD, DIRECTOR ILLINOIS DEPARTMENT OF LABOR, PRESIDING

The opening session of the convention, held jointly with the International Association of Public Employment Services, was opened with an invocation by Rev. Father Frederick Seidenberg, S. J., after which addresses of welcome were made by Hon. Len Small, Governor of Illinois, and Francis X. Busch, corporation counsel, representing the mayor of Chicago. The president of the association then delivered the following address:

PRESIDENT'S ADDRESS

BY JOHN HOPKINS HALL, JR., COMMISSIONER VIRGINIA BUREAU OF LABOR AND INDUSTRIAL STATISTICS

The eleventh annual convention of the Association of Governmental Labor Officials of the United States and Canada finds a great deal accomplished and a great deal more to be done in labor legislation and labor law enforcement—for legislation without law enforcement is not only futile but positively dangerous, as it ofttimes nullifies efforts to improve existing law. So, it may sometimes seem that in our own organization we meet annually, listen to carefully prepared addresses by highly trained specialists, confer, and discuss questions affecting the safety, sanitation, and security of industry and labor and adopt resolutions—and then adjourn and forget all about them until suddenly a situation arises which forcibly reminds us of the needs of just such action as our resolutions recommended. However, I am persuaded that some progress is being made, and it behooves us, as labor officials, not only because we are charged with the enforcement of law and safeguarding of the human element, but also because of our experience and education in matters of safety, sanitation, and child conservation, to bring these all-important questions to public notice and especially to call them to the attention of legislators, whether they be State or National.

The recommendations and resolutions of the last convention have generally been carried out. Committees have been appointed to recommend uniform methods of accident reporting and statistics, to draft suggestions for uniform laws to permit adoption of safety codes, to revise the constitution, to consider the advisability of the consolidation of the Association of Governmental Labor Officials and the Association of Public Employment Services, and to consider

the consolidation of the Association of Industrial Accident Boards with our association; their reports to this convention will speak for themselves. Also representatives have been appointed on safety code sectional committees of the American Engineering Standards Committee, as follows: Building exits, drop forging, laundry machinery, elevators, walkway surfaces, and electric code review; and on the safety code correlating committee. Several of these committees have been at work, and much definite action has been taken by the representatives of our association, which will be reported by them. The recommendations of these committees and representatives should receive our earnest consideration and careful attention.

The officers and committees of the association have cheerfully responded whenever called upon and have been most cooperative in all activities of the association. The secretary, Miss Schutz, has generously devoted a great deal of time and talent to the affairs of the association and merits our consideration and thanks.

The secretary sent to the Speaker of the House and to the President of the Senate copies of resolutions Nos. 3 and 4, favoring the adoption of amendments to the Constitution for a 48-hour work week for women in industry, a minimum wage for women, and a child-labor enactment clause. A copy of resolution No. 4 regarding child labor has been sent to each Member of the House of Representatives. Your president has also written the Senators and Members of the House from his native State, Virginia, favoring the child-labor amendment. While this amendment has passed the House by a large majority, it has yet to pass the Senate, after which the fight has to be carried into all the States, so that we have but just begun our battle for the emancipation of American childhood and the salvation of our future citizens.

Much of the argument used against Federal legislation affecting industrial questions is based on the doctrine of State rights or the usurpation of power by the central Government, but modern industry is not and can not be confined within the borders of any one State. The trouble with our law makers is that they are not familiar with and do not understand the new and novel conditions and problems brought about by modern machinery and methods.

Our program shows much fruitful effort on the part of the committee and assures this convention of comprehensive and constructive sessions, which should prove beneficial and productive of good results. However, I am convinced that a program committee should be appointed immediately following each convention for the next year in order to have ample time and to obtain the best results, and I would so recommend.

A notable omission in our conventions and on our program is the subject of mining. While it may be too great a subject to be covered in a single session, yet it is one so closely allied with our industrial fabric that I feel we should devote some time to this all-important question, which affects all industry and is really a part of the labor department work of some States. I therefore recommend that in future programs at least one address be made on mine safety and conservation.

Industrial accidents continue to show an alarming tendency to increase, notwithstanding our boasted knowledge of the causes and

effects of and remedies for the same. This is our problem as well as that of industry and we can not escape the responsibility of solving it.

While our association is in character nonpolitical, yet it is in fact all-political, embracing as it does all labor officials of the United States and of Canada, who come into contact with all its productive industrial human elements. It is therefore peculiarly fitted to express the aspirations and desires of those most affected by our modern industrial machine and such expression should stand out as a beacon on the rocky coast of industry, already strewn with countless, needless human wreckage, and as a light by which to guide labor legislation.

Our executive board should be empowered and encouraged to give full publicity to agreed-upon solutions of industrial, economic, safety, and sanitary problems.

We all have our problems at home in the several States and Provinces just as do the congressmen and legislators, but here as an association we are not bound by political expediency or traditions, and should act accordingly. Certainly when we, with our manifold experiences, agree on the solution of a problem of industrial betterment, we should not hesitate to broadcast it to the four winds and to urge it upon our legislators, both State and National, until it becomes a law. For thus and thus only can the Association of Governmental Labor Officials measure up to the duty imposed and become a living factor in industrial improvement.

We have great responsibilities and greater opportunities for service to humanity.

[After an address by Charles J. Boyd, president of the International Association of Public Employment Services, the following address was delivered by Ethelbert Stewart, United States Commissioner of Labor Statistics:]

THE WASTAGE OF MEN

BY ETHELBERT STEWART, UNITED STATES COMMISSIONER OF LABOR STATISTICS

Several weeks after I had indicated to President Hall that the subject of my address to-day would be "The Wastage of Men," I came across an advertisement in the April issue of The Nation's Business which reads in part as follows:

> In many a concern and many an industry, the loss of a nickel's worth of material is a great offense, while the waste of men is suffered without the batting of an eye.
>
> This is neither logical, humane, nor profitable. Wasting men by keeping them at unproductive work when machinery would do it faster, better, and cheaper is indefensible.
>
> The better way—the American way—is to concentrate men upon productive work at better pay, and let iron and steel in the form of material handling equipment attend to the moving of materials.
>
> The results that have been accomplished in some industries and by some individual concerns should be an inspiration and a challenge to others.
>
> Handling material by mechanical means benefits both worker and employer; permits you to better place your own labor; the dollars invested in labor are made to yield a higher dividend, and workers are benefited by being engaged at more profitable tasks.

It would be difficult to find a better statement of the real industrial situation to-day.

One element, and an important one, is left out of the statement, however, and that is that this wastage of men is a very appreciable part of the cause of the social restlessness of the workers of the world everywhere. The discontent of the world's workers has its taproot in the fact that workingmen wish to be considered as a part of and not as an implement of society. The next great cause of dissatisfaction is the feeling that their power and energies are being frittered away, that their life and energy are being exhausted in inconsequential and unnecessarily laborious toil.

One of America's early philosophers said that no man could be hired at any wage to carry brick from one side of the road to the other and then carry them back again and then back again and so on for a week at a time. A brother philosopher insisted that he was wrong and that he would furnish him a person who would accept that work at a very reasonable wage. The challenge was accepted and a low-grade idiot was produced who agreed to do this wasteful task. But the original quoter of the idea replied, "I said no man could be hired. This fellow falls very far short of what either you or I have in mind when we say man."

Any of us, in the days when ditches were dug by hand, would have been perfectly willing to take a shovel and go into the mud to dig a ditch for draining a farm or a road, if such a drain were necessary. To-day, with the steam shovel, not one of us would go into such a ditch at any wage, and particularly when for such work the lowest imaginable wages are paid for the longest imaginable working-day.

The war and the wage rates that common labor was able to secure during and since the war have worked a radical change in our ideas of what constitutes the wastage of men. Formerly employers were anxious to secure labor-saving machinery only when it displaced or lessened the amount of really skilled and high-priced labor.

When the printers' union secured a wage rate which for the day and time created consternation and alarm in the minds of the employers, inventors went to work to produce a typesetting machine. As a matter of fact, one was invented in 1840, but at that time the wages of printers had not reached a point where the machine was of any particular interest to the employing class. By 1890 they felt differently about it.

When the coal miners' union got the mining rate up to a point where the miner could live and a little more, mining machinery became of very great interest and was very generally adopted. As the underground labor in the mine became a part of the organization and the wage scale, the mule and his driver and the little bucket on wheels in which he hauled the coal from the face of the working to the mouth of the pit gave way to electrical hauling devices in the mine.

WASTE THROUGH EMPLOYMENT OF CHEAP LABOR

By the same token, the common-labor wage rate of the past six years has turned the attention of the inventor and the superintendent of the factory to the discovery of ways and means for getting greater results from the labor of unskilled men. Up to that time the drudgery of life had been left to common laborers because such labor was abundant and cheap, but we have come now to the time when we

must apply mechanical devices; we must invent machinery, where it is not already invented, to do the kinds of work that no man should be expected to do and that no man can do and develop his cultural manhood at the same time.

A plant in New England employing some 6,000 men is to-day producing more than it did before the war and employing 600 fewer men.

Because those whom we are pleased to call "wops" and "hunkeys" could be secured for 22½ cents an hour for 12 hours a day, they were employed carrying steel ingots from the ingot pile to the hopper of the machine of the initial manufacturing process. To-day a huge crane magnet lifts up a ton of these ingots by the mysterious power of magnetism and swings them to where they are needed. One of these crane magnets will do the work of 60 of the men who formerly carried these ingots on their backs. The "wops" and "hunkeys," now being paid $4 a day for 8 hours' work, are put to a task which is worth that pay and which requires some intelligence, which enables them to have some respect for themselves and to develop some semblance of manhood.

WASTE THROUGH UNEMPLOYMENT AND LOST TIME

Most of us are too far removed from the real workaday world to appreciate the everyday tragedy of human waste. Literally, as well as figuratively, I fear we are coming more and more to listen to the voices of the air rather than to the rumblings of the earth. Our ears are no longer to the ground; we are going crazy with our ear phones and the radio. Nobody seems to care particularly that the 700,000 men in our coal mines, for instance, are idle more than half of the time. We do not appreciate the human tragedy concealed in the figures which show that if 25 per cent of our better type of coal mines operated 306 days a year, employing 60 per cent of the men now employed in the industry, they could produce all the coal we could use or export. In other words, an average of 250,000 men in this industry must be out of work all the time, which means that the entire number of 700,000 are being wasted one-third of the time.

The attitude toward work, the industrial habits, the social conduct, engendered by having only two or three days' work in the week are a part of the social side of our wastage of men.

A study of the pay-roll data in the manufacturing industries, which employ 11,000,000 of our population, indicates that the fluctuation in volume of employment alone spells an average total of 12 months' unemployment for from 1,500,000 to 1,750,000 of that total number. Of course, I do not mean that this number of individuals are out of work for 12 months, but the average aggregate of idleness or the low percentage of full employment in various industries amounts to about 1,750,000 persons being idle all the time. This waste is spread, of course, over the entire 11,000,000 employees.

Sad to say, this does not take account of such short periods of idleness as two or three days, nor does it include the individual loss of time due to sickness, much of which is preventable, nor the enormous loss of time due to industrial accidents, most of which are preventable; nor does it take into account the turnover, a subject which in itself would require an evening's discussion.

WASTE THROUGH LABOR TURNOVER

I may simply say in passing that the labor turnover in industry is very largely, though not entirely, concerned with the unskilled and semiskilled workers. The turnover is the aggregate of individualistic strikes, usually of unorganized men—strikes against wages which are considered inadequate or labor conditions which are considered intolerable. Practically all of the labor turnover could be stopped by humanizing the labor conditions and making some effort to get acquainted with the men.

A low estimate of average turnover for industry as a whole is 30 per cent, which means that probably 3,500,000 men change jobs an average of once a year. The average loss of time between job and job is two weeks. Most of this 7,000,000 weeks of lost time is unnecessary and a pure wastage of men. Of course, a very large percentage of those who go to make the turnover change jobs 2, 3, 4, and sometimes 10 times a year. This reduces the number of actual individuals involved but does not change the situation as to the industrial waste.

WASTE THROUGH PLANT INEFFICIENCY

The difference between the efficient plant and the inefficient plant represents another element of waste. If the cotton mills of Alabama were as efficient as the cotton mills of New York, 10,514 persons instead of 13,697 would have produced the textile output of Alabama in 1914; 38,000 instead of 53,000 would have sufficed in North Carolina; and 25,000 instead of 31,000 in Georgia.

We have boot and shoe factories where the output per worker per day is 2 pairs of shoes, and we have boot and shoe factories in which the output per one-man day is 12 pairs of shoes. We have sawmills where the output per one-man hour is 15 board feet, and we have sawmills in which the output per one-man hour is 323 board feet.

If all the sawmills of the United States were as efficient as the average sawmills now in existence, it would require less than one-half the present number of men employed in the industry to produce the total output; while if the highest efficiency, 323 board feet per one-man hour, obtained in all the plants, practically 45,000 men could do the work now being done by 292,000 men. I do not mean to say that this standard of efficiency is universally possible. I simply give you these figures to indicate the extent to which we are wasting men.

Here in Chicago a brick machine shoots out 49,000 brick per hour, and if all the brick plants of the United States were as efficient as the best brickyards in Chicago, the industry could release 80 per cent of its employees to be utilized by other industries. Taking two brick plants, for instance: Plant A consumed 13½ hours of one man's time per thousand brick, as compared with 3.9 hours of one man's time in another plant. One plant pays the men whose time they are wasting an average of 17 cents an hour; the other plant pays an average of 79 cents an hour. Most of the brickmaking plants in the United States to-day are using precisely the same method as that used in Egypt with the Hebrew slave labor at the time Moses led the great brickyard strike, which I suppose the Egyptian brick manufacturers

considered a failure, since the strikers' places were taken by strike-breakers if they were taken at all.

Most of the successful attempts to stop the wastage of men have been accomplished by a simple readjustment of machines, on the one hand, or by means of either automatic conveyer devices or the installation of more efficient trucking and shop transportation methods, on the other hand. One automobile concern which advertised that its material from the time it entered the factory until it became the finished product traveled an average of 3½ miles, has within the last six months so readjusted its plant that its material travels but 50 feet. A plant in Louisiana which conveyed its product from the factory to the boat by truck has installed a conveyer which carries the material packed in crates across a marsh from the factory to the dock and automatically discharges it into a spiral chute which carries it into the hold of the vessel without its being touched by human hands. By means of this one device 4 men are now doing in a few hours each day the work formerly done by 100 men on a 12-hour-day basis. It is admitted by those who have studied the subject without prejudice that this same device is applicable to every dock and every factory in the United States.

In the manufacture of pig iron we have blast furnaces in which the time cost is 1 hour and 12 minutes of one man's time per ton of pig iron; we have other blast furnaces which require 11 hours of one man's time to produce the same result. There can be no real labor shortage while some plants in an industry like this are consuming five times the number of men which would be intelligently required. It is far better to stop wasting men than to let down the immigration bars and flood the country with more men to waste.

WASTE IN AGRICULTURE

In agriculture the situation is still worse. And right here I want to call your attention to the slogan the new Minister of Agriculture in Mexico has adopted as the motto of his department: "Death to the wooden plow." If this official succeeds in accomplishing that in Mexico he will have achieved more to elevate Mexico socially, politically, and industrially than all its political institutions have ever done.

I propose to give you some figures upon the wastage of men in American agriculture which I think will convince you that while the slogan of "Death to the wooden plow" is not applicable literally to American agriculture, yet it is applicable in spirit. Agriculture perhaps has suffered most from economic and industrial inertia.

We hear lamentations go up from Georgia that a score of thousands of plows have been piled up and abandoned, never to be used again. I wish you could see those plows. They are not wooden plows, it is true, but Illinois abandoned that type of plow 55 years ago to my certain knowledge, and not because of the boll weevil or the exodus of the negro.

I have prepared a table based upon the number of acres of crops actually harvested in each of the States mentioned. Now, understand, this does not include all farm lands or even all cultivated lands or even all crops planted, but only the acres actually harvested. This acreage I have divided by the agricultural population as shown by the

census, the term "agricultural population" including all the men, women, and children over 12 years old actually engaged in agricultural pursuits. The same set of figures has been used as a base for each State. I have taken the State of Illinois as the standard or base because I was born and reared in Illinois and know that the agricultural methods of that State are none too good, or at least could be vastly improved. Yet the acres of crops actually harvested per person classed as belonging to the agricultural population were 45.3 in Illinois.

NUMBER OF AGRICULTURAL WORKERS AND ACRES HARVESTED (TOTAL AND PER PERSON) IN SPECIFIED STATES AND NUMBER OF PERSONS REQUIRED AND SAVED IN AGRICULTURAL WORK IN SUCH STATES ON BASIS OF ACREAGE HARVESTED PER PERSON IN ILLINOIS

State	Number of agricultural workers	Total acres harvested	Acres harvested per person	Assuming as many acres harvested per person as in Illinois (45.3 acres)—	
				Persons required	Persons saved
Alabama	664,647	7,202,040	10.8	158,985	505,662
Connecticut	46,015	533,516	11.6	11,777	34,238
Delaware	22,742	438,296	19.3	9,675	13,067
Florida	131,449	1,220,798	9.3	26,949	104,500
Georgia	729,503	9,660,737	13.2	213,261	516,242
Illinois	447,513	20,269,123	45.3	447,513	
Indiana	342,971	11,329,049	33.0	250,089	92,882
Iowa	353,724	20,371,134	57.6	449,694	[1]95,970
Kentucky	452,396	6,046,028	13.4	133,466	318,930
Maine	73,331	1,587,896	21.7	35,053	38,278
Maryland	108,734	1,927,254	17.7	42,544	66,190
Massachusetts	67,472	652,094	9.7	14,395	53,077
Michigan	321,877	8,194,842	25.5	180,902	140,975
Mississippi	672,817	6,158,147	9.2	135,941	536,876
New Hampshire	34,555	592,976	17.2	13,090	21,465
New Jersey	76,068	1,111,300	14.6	24,532	51,536
New York	372,885	8,376,072	22.5	206,977	165,908
North Carolina	602,527	5,736,176	9.5	126,626	475,901
Ohio	417,461	11,425,822	27.4	252,226	165,235
Pennsylvania	352,593	7,821,702	22.1	172,665	179,928
Rhode Island	11,276	83,705	7.4	1,848	9,428
South Carolina	511,240	5,152,801	10.1	113,748	397,492
Tennessee	464,410	6,360,928	13.7	140,418	323,992
Vermont	48,701	1,203,735	24.7	26,573	22,128
Virginia	348,926	4,255,282	12.2	93,936	254,990
West Virginia	160,075	1,873,893	11.7	41,366	118,709
Wisconsin	296,545	8,554,073	28.8	188,832	107,713
Total	8,132,453	158,139,419	19.4	3,513,081	4,619,372

[1] More required

As this table shows, the acreage per person in Alabama was 10.8, in Florida 9.3, in Kentucky 13.4, in South Carolina 10.1, in North Carolina 9.5. The average number of acres per person for the United States as a whole was 19.4, as against 45.3 in Illinois and 57.6 in Iowa.

If the agricultural population of Alabama would do as well as that in Illinois, not 664,647 persons, as at present, but only 158,985 would be required for the agricultural occupations in that State, thus saving 505,662 persons in that State alone. On the same basis, over half a million would be saved in Georgia, 319,000 in Kentucky, 537,000 in Mississippi, and 476,000 in North Carolina. If agriculture throughout the United States was as efficient as it is

in Illinois, 4,619,372 persons could be released from this industry alone. The table will reveal other details.

Admitting, as I do, every just argument that can be brought against this table because of the difference in crops, difference in soil, and so on, the fact remains that these figures show an enormous waste of our agricultural labor in most of the States of the Union.

"Death to the wooden plow" has been proclaimed in Mexico. Let us pile up all of the plows in these enlightened United States that correspond most nearly to the wooden plow. When tractors and gang plows have been substituted in the South for the negro and the mule, it will be infinitely better for the South and better for the negro.

CONCLUSION

The drudgeries in our industries which heretofore because of cheap men have been left to cheapen men must be removed. We must provide a condition of industry, including agriculture, in which men will feel that their labor is valuable, that what they are doing is worth doing. We can not escape the conclusion that industrial wastage is moral wastage; and I want to emphasize the moral wastage which all this implies. The habit of industry is a moral right.

The poet J. G. Holland has well said—

> Of all the dull dead weights men ever bore
> None wears the soul with discontent
> Like consciousness of power unused.

I do not care what kind of power you mean, whether it is the forensic power of the orator to sway the multitude or whether it is the power of the coal miner to get out 10 tons of coal per day 6 days in the week. Nothing so demoralizes a man as to feel that he is being wasted. No man wants to be overworked; no man wants to be driven; but every man, unless his whole moral fiber has been weakened by our slip-shod industries, wants to feel that he is putting forth the full measure of his ability, whether it is to think, to make shoes or to saw lumber. This is a part of that self-respect which belongs to a man and he should have the opportunity to retain it through his own efforts. No standard of wages will justify a man's loss of self-respect and no methods of industry will compensate society for undermining the morale of men. We saw the moral effect of the cost-plus plan upon the workers employed by the cost-plus contractors, and some of us realize that the workers of this generation will not get over the moral effect of that system.

Now, just one word more. In the South as a result of generations of negro slavery, work, particularly common and unskilled labor, became socially connected with a despised and enslaved race, a race with which no white man would have cared to work for physical reasons, even though to do so would not have placed him on a social level with the slave. White people would not do the work which the colored slave was supposed to do. Legal slavery is no more. The social, conventional, and industrial condition which it produced did not, however, pass away with the legal enactments which abolished slavery, nor can these conditions be abolished by law. You see colored hodcarriers in the South; you see few white ones. You see very

few colored bricklayers in the South, and these seldom working on the same building with the white bricklayer.

Regret it, deplore it, deny it as we will, a social caste line has been driven through the industrial condition of the South. The opportunity for the white boy is correspondingly restricted. He can not start at the bottom.

Let us see what the situation is along the same line in the North. In 1870, when the radical expansion of our industries in the United States began, we had a population of 38,000,000, the annual increase of which did not supply sufficient labor for the industrial developments then under way. The enormous low-wage immigration that came in during the next generation possibly had much to do with our overdevelopment of industry and with our habit of wasting men.

Our captains of industry seem to be thoroughly convinced, on the experience of the past generation, that an immigrant with a shovel and a wheelbarrow is cheaper than a steam shovel and a loading crane, and while this is not and never was true, they resent any proposal to invest large sums of money in machinery to do the work connected in their minds with low-wage immigrants. As the result of this policy common and semiskilled labor is associated in the minds of the people of the North with what they are pleased to call the "wop" and the "hunkey," precisely as the same class of labor is associated in the South with the negro. Regret it, deplore it, deny it as we will, the fact that common labor has become associated with the idea of the Mexican, the wop, and the hunkey shoots across our industrial life a line of social caste which the American white boy can not, dare not, and will not pass, no matter what your wage rate may be. All this talk about the lure of the white collar and the fear of the calloused hands is bosh. We have created a social caste in common labor in the North just as impassable as that in the South.

To-day over a million boys, to say nothing of the girls, are annually entering the wage-earning age. They are our own boys, whom we can not afford to waste and who above all things can not afford to be wasted.

I submit that it is probably true that we will never stop wasting men so long as we can reach out and get more men to waste. As evidence of this I want to call your attention to the tactics now being employed by certain interests to run in Mexicans, and to the threat that if there are not enough Mexicans they will bring in the Chinese. Let us not deceive ourselves. We have got into the habit of using the labor of cheap men in the hard menial drudgery of industry. It is my judgment that our only industrial, economic, political, social, and moral salvation lies in being forced, if force is necessary, to reform our manufacturing and industrial methods upon a basis of human conservation and helpfulness rather than upon human deterioration and wastefulness.

[Meeting adjourned.]

JOHN H. HALL, Jr., COMMISSIONER VIRGINIA BUREAU OF LABOR AND INDUSTRIAL STATISTICS, PRESIDING

The following committees were appointed:

Committee on credentials.—John S. B. Davie, of New Hampshire; Claude E. Connally, of Oklahoma; H. M. Stanley, of Georgia; Nelle Swartz, of New York; C. R. Yearsley, of Utah.

Committee on audits.—Thomas M. Molloy, of Saskatchewan; F. M. Wilcox, of Wisconsin; Henry McColl, of Minnesota; J. H. Crawford, of Kansas; Ethel M. Johnson, of Massachusetts.

Committee on resolutions.—T. A. Wilson, of Arkansas; Thomas M. Molloy, of Saskatchewan; Henry McColl, of Minnesota; J. H. Crawford, of Kansas; Ethel M. Johnson, of Massachusetts.

Committee on reports of officers.—Ethelbert Stewart, U. S. Commissioner of Labor Statistics; William I. Reilly, of Colorado; A. L. Urick, of Iowa; R. T. Kennard, of Kentucky; Joseph S. Myers, of Texas; Frank Clark, of Wyoming; Mrs. Delphine M. Johnson, of Washington.

ROLL CALL AND REPORTS OF NEW LEGISLATION

At the roll call reports of new legislation in the various States and Provinces were presented. The delegates from some States reported that there had been no labor legislation in their States since the last meeting, and others failed to make any report. (For labor legislation in the United States during 1923 and 1924 see Bulletin No. 370 of the United States Bureau of Labor Statistics.) A list of the persons attending the convention appears on pages 143 to 146.

REPORT OF DELAWARE

The Delaware Legislature has not met since the last annual convention, consequently there have been no legislative changes in our labor laws.

The State school laws provide that children between the ages of 14 and 16 years must complete the eighth-year work before they may leave school and engage in gainful occupations. There is a provision in the State school laws that the public schools of the city of Wilmington may accept at any time the provisions of this act by resolution adopted by a majority of its board of education and by filing a written copy of such resolution with the State board of education. In January, 1923, the Wilmington board adopted a resolution changing the grade to be completed by children leaving school to serve as wage earners, at that time the fifth grade, to the sixth grade, effective February 1, 1923, this provision to continue until September 1, 1923. The resolution provided that beginning September 1, 1923, the work of the eighth grade must have been completed, thereby placing Delaware in the list of States requiring the completion of the work of the eighth grade before its children were free to leave school and be employed.

The effect of the changes noted above will, we feel, be quite noticeable this year. The number of certificates issued during the past eight months was 120, as compared with 373 for a corresponding period of time in 1923.

A joint resolution providing for a commission to suggest a revision of the existing laws of the State relating to minor children was passed by the last legislature. The commission is composed of one representative from the children's bureau, child welfare commission, Delaware Society for the Prevention of Cruelty to Children, Delaware Children's Home Society, juvenile court, State board of education, Labor Commission of Delaware, one State senator, and a member of the house of representatives of the legislature. One meeting of the commission has been held and organization effected. At this meeting it was decided to study the present laws concerning the welfare of minor children in the State and to prepare and present to the next session of the general assembly suggestions relative to changes or amendments to such laws.

REPORT OF GEORGIA

Seven sections of the compensation act were amended by the general assembly in 1923, viz., sections 23, 24, 32, 38, 40, 65, and 67.

Sections 23 and 24 deal with notice that must be given to employer by an injured employee. The amendments practically eliminate the necessity of a written report by an employee or his agent, and provide that a verbal or written report may be given to the employer, his agent, representative, foreman, or immediate superior of the injured employee.

Section 32 deals with the so-called specific injuries. The amendment provides that, in addition to the compensation for a specific injury, the employee is entitled to compensation, not to exceed 10 weeks, during temporary total disability.

Section 40 was amended so as to conform to a previous amendment raising the total amount of compensation from $4,000 to $5,000.

In section 38, dealing with fatal cases, the amendment includes accidents in which death immediately resulted. While it was undoubtedly intended to include these accidents in the section as originally written, the section was not clear as to the exact intention, and this amendment was to clarify the section.

The amendment to section 65 provides that the commission may assess a fine against an employer refusing or willfully neglecting to file with the commission proper reports of accidents. This fine was heretofore assessed through the courts.

The amendment to section 67 provides that an employer who refuses or willfully neglects to comply with the insurance provisions of the act shall be guilty of a misdemeanor, and, in addition, the industrial commission may add 10 per cent to the amount of compensation due, and an attorney's fee (for the injured employee) shall be assessed against the employer. This section formerly provided that the employer should merely be liable for a fine in a stated amount for not complying with the insurance provisions of the compensation act. Under the present law there can be a fine of $1,000, imprisonment in jail for six months, a chain-gang sentence for one year, or all three in the discretion of the judge trying the case.

Several additional amendments will be asked for this year. Two amendments to the labor law have received a favorable report from appropriate committees of each house. One provides for a 55-hour week in textile mills, and the other makes 14 years the age limit in all factories, workshops, or places of amusement, and 16 years the age limit for night work.

REPORT OF ILLINOIS

The legislative work of the last session of the Illinois General Assembly in the field of labor is epitomized in a bright remark by the court fool who undertook to shear a pig, "There was much squealing but little wool." The assembly, which

adjourned June 30, 1923, considered many laws that affect labor. The principal fights were on a bill to change the legal number of hours of work for women and on a bill providing for a State insurance fund. Illinois has had a 10-hour law for women since 1909. Organized labor made a determined effort in the last session to have the number of hours reduced to eight. Discussion on this bill took up a great deal of time of the legislature but no change was made. The other principal measure urged by organized labor provided for a State insurance fund. This bill also failed of passage. Other labor legislation which received prolonged consideration by the legislature related to the repeal of the 50-year old apprenticeship statute, one day's rest in seven, changes in the educational qualifications of school children before employment, acceptance of the provisions of the Federal act providing aid in maternity. None of these bills were passed.

Several acts of consequence were passed. The occupational disease act of 1921 makes certain specified occupational diseases compensable under the workman's compensation act in the same manner as accidents. The diseases covered are chiefly various forms of lead poisoning which are set out in the occupational disease inspection act of 1911. The 1921 act had been held unconstitutional on account of errors made in the legislative process, and in 1923 it was passed with the errors rectified. Another act passed exempted firemen in cities of over 200,000 from the provisions of the workmen's compensation act. Firemen in Chicago were the only ones affected.

Several acts relating to mines passed. One requires an annual examination of electrical hoisting engines by the mining board. Special rules are included regarding open lights, smoking, speed, engines, etc. Another requires fire-fighting apparatus in mines. A third requires that at the transference of a mine two maps be provided, one for public and one for private use.

An act relating to mechanics' liens permits a subcontractor to file notice of claim in the office of the registrar of titles instead of personally on the owner.

The soldiers' rehabilitation act of 1919 was repealed in 1923, with the approval of the department. This act required that all employers in the State having five or more workers should render an annual report showing the number of individuals entering military service during the war and the number of such persons reemployed after the war. In addition the employers were asked to state the total number of workers of each sex above and below 16 years of age and the number of hours worked per day and per week. In compliance with the law the department issued questionnaires in 1920, 1921, and 1922. Statistics summarizing returns have been published, but they do not appear to be of much service. This is true, in the first place, because to be of any value all such figures would have to be all inclusive and there were no funds to compel all employers to furnish them. In the second place, the figures covered a period contemporaneous with the last Federal census, from which comprehensive and complete statistics are available. In the third place, some of the information was useless. No possible good could come from having employers state each year how many of their workers entered military service between April 6, 1917, and November 11, 1918.

The present adminstration is not disposed to ask that a law be passed requiring employers to furnish statistical information. What facts we are now in a position to publish can be secured through the cooperation of employers. The department is in fact getting monthly statements on the number of employees and the amount of compensation. We are opposed to the use of force when force is not necessary and may in fact be quite harmful.

While not strictly legislation, the development of the Labor Bulletin should be reported. Since September, 1921, this monthly publication has been issued by this department. Down to July, 1923, the publication covered only employment

and summarized the employment statistics collected in this State and the operations of the free employment offices. Commencing with July of last year the scope of the bulletin was extended to cover the work of the other divisions of the department.

REPORT OF KENTUCKY

At the last session of the Kentucky Legislature, held in January and February of this year, a bill was introduced, known as Senate Bill No. 181, which included what is known as "bad-air" cases under the workmen's compensation law of Kentucky, and also made it cover the employee while working in the employ of threshing-machine companies. These two amendments were heartily approved by workingmen, but there was also included in this bill a clause that where an employee was injured while in the course of his employment compensation for said injury should apply only to the limb or specific part of the body injured and not to the body as a whole. If this joker had passed many a man would have been paid only a small specific amount for his injury regardless of how long he would be disabled. Two of the members of the workmen's compensation board, however, discovered this clause and immediately began to investigate its origin. It was found that the clause was being sponsored by a group of men sometimes nicknamed "the employer's protective association," who, while pushing the amendments to include the "bad-air" and threshing-machine cases, were also letting this other clause slide through.

These two members of the board immediately called on the governor and after going over the bill with him the governor, perceiving the underlying danger in the clause, then and there wrote across the face of the bill "Disapproved." After this those who were pushing the bill, realizing that they were caught at their game and that the Governor of Kentucky has his ear to the ground at all times in behalf of the laboring man, consented that the bill should be passed without the obnoxious clause, which was done and the bill signed by the governor within a short time.

There were several other labor bills introduced during this session of the legislature, but none of them were passed.

REPORT OF MASSACHUSETTS

The following labor measures were enacted by the Massachusetts Legislature in 1924 up to May, 1924:

Weekly payment of wages.—The law providing for the weekly payment of wages in certain kinds of employment was amended to include musicians.

Workmen's compensation act.—This law has been amended to provide that compensation shall be paid from the day of the injury if incapacity extends beyond a period of four weeks; otherwise, it begins on the eighth day after the injury.

Memorializing Congress to enact a uniform child-labor law.—On February 12, 1924, the general court adopted resolutions as follows:

Resolved, That because of the injustice and hardship to children in industry, and the harm to industry itself resulting from lack of uniformity in State legislation regulating child labor, the General Court of Massachusetts respectfully petitions Congress to propose an amendment to the Constitution of the United States authorizing Congress to enact uniform legislation as to child labor throughout the United States; and be it further

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the presiding officers of both branches of Congress and to each of the Senators and Representatives in Congress from Massachusetts.

The following bills are still pending in the legislature:

An act to provide for special forecasts for extension of public works during times of industrial depression.

An act authorizing the payment of wages to all scrub women in the employ of the Commonwealth for all holidays during the year, based on the average daily wage for the week preceding such holiday.

REPORT OF MINNESOTA

No meeting of the legislature has taken place. Mine inspection has been in a rather crude condition, being handled under a very old statute. In one particular disaster 48 men were lost. Workmen's compensation covered all these, as far as financial compensation can cover loss of life. The governor appointed a commission to investigate this disaster and the general subject of mine inspection. Minnesota hopes for a sane and modern mines law. Employers and manufacturers' associations have cooperated with the laws, and effected an improvement of working conditions.

REPORT OF NEW YORK

The following amendments to the workmen's compensation law were passed at the last session of the legislature and approved by the governor:

1. Chapter 499 amends section 29 of the workmen's compensation law in relation to subrogation to remedies of employees by correcting a typographical error and changing the reference to subdivisions 9 and 10 of section 15 to read subdivisions 8 and 9—in effect immediately.

2. Chapter 658 amends the workmen's compensation law so as to provide for coverage of all State employees—in effect May 8, 1924.

3. Chapter 317 increases the maximum compensation for the loss of an eye from 128 to 160 weeks—effective July 1, 1924.

4. Chapter 319 amends subdivision 5 of section 16 of the workmen's compensation law, increasing the maximum wages taken into consideration in commuting compensation in death cases from $125 to $150 a month—effective July 1, 1924.

5. Chapter 320 increases the maximum compensation for the loss of a thumb from 60 to 75 weeks—effective July 1, 1924.

6. Chapter 500 adds subdivision 4a to section 15 of the workmen's compensation law providing for compensation for protracted temporary total disability in connection with permanent partial disability as follows:

4a. *Protracted temporary total disability in connection with permanent partial disability.*—In case of temporary total disability and permanent partial disability both resulting from the same injury, if the temporary total disability continues for a longer period than the number of weeks set forth in the following schedule, the period of temporary total disability in excess of such number of weeks shall be added to the compensation period provided in subdivision 3 of this section: Arm, 32 weeks; leg, 40 weeks; hand, 32 weeks; foot, 32 weeks; eye, 20 weeks; thumb, 24 weeks; first finger, 18 weeks; great toe, 12 weeks; second finger, 12 weeks; third finger, 8 weeks; fourth finger, 8 weeks; toe other than great toe, 8 weeks.

In any case resulting in loss or partial loss of use of arm, leg, hand, foot, eye, thumb, finger, or toe, where the temporary total disability does not extend beyond the periods above mentioned for such injury, compensation shall be limited to the schedule contained in subdivision 3—effective July 1, 1924.

7. Chapter 318 amends section 12 of the workmen's compensation law so as to reduce the noncompensated waiting period from 14 days to 7 days; and also amends section 20 so as to provide that at any time after the expiration of the the first 7 days of disability a claim for compensation may be presented—effective January 1, 1925.

REPORT OF PENNSYLVANIA

An amendment to the workmen's compensation act was passed making loss or loss of use of fingers liable for compensation. The boiler inspection act makes it incumbent upon the department of labor and industry to inspect all boilers used except agricultural or mine boilers, or to certify insurance company inspectors. Before the passage of this act "free-lance" inspectors worked on their own hook, and there was dissatisfaction with their inspections. In some instances they charged huge fees and it was impossible to supervise their inspections carefully. This new law did away with "free-lance" inspectors and substituted inspectors of the department of labor or certified inspectors of insurance companies. Mine inspections are now supervised by the mine department. Agricultural boilers, unfortunately, are not inspected at all. Important revisions of the labor and industrial laws were introduced but were killed. An amendment to the employment act affecting private employment agencies was passed. Pennsylvania was one of the first States which recognized the necessity of supervising private employment offices. Heretofore inspectors had no authority to make arrests summarily, but under this revision they now have authority to make summary arrests and thus have power over the "fly-by-night" employment agencies. It puts a great deal of power into the hands of relatively subordinate officials.

The child-labor law of Pennsylvania has a wide scope and thus includes homes where industrial work is carried on. Prosecutions have been introduced, e. g., a prosecution for the employment of children in stripping tobacco in the home. In this case the employer paid both his own fine and that imposed on the child's parents. An investigation is being made in regard to industrial home work. Children are employed to an alarming extent in and about Philadelphia. They are employed at home for such long hours that when they go to school they are too tired to absorb any knowledge and spend their time there sleeping. Child labor in theaters is a most evil occupation. Prosecutions for theatrical child labor have been instituted. Inspection work has been strengthened and the enforcement of labor law has been made stronger throughout the department of labor. Enforcement, not enactment, of labor law is the important thing. Pennsylvania has a difficult problem. More than 50 per cent of the time and effort of the inspection force is taken up with matters having no reference to labor. For example, it is its duty to enforce the fire and panic act. Public health and safety and sanitation measures take up a great deal of time of the inspectors.

REPORT OF TEXAS

The legislature passed amendments to the workmen's compensation act. The private employment office act was changed to bring about more thorough regulation, and is now very drastic. Where the inspectors see the law violated, arrests can be made immediately. Texas dug up the old women's-hours-of-service law and enforced it. It also dug up an old law in regard to courts of inquiry which have authority to call before them woman employees without the knowledge of their employers and question them separately to find out how many hours they work.

REPORT OF UTAH

The legislature has not been in session since the last meeting of the governmental labor officials; therefore there has been no new legislation, but the Industrial Commission of Utah has just issued an order prohibiting the use of open lights in coal mines where five or more are employed, and making it optional with the commission where fewer than five are employed.

This order was caused by the carelessness of a fire boss, who failed to report gas, whereby 175 lives were destroyed without a moment's notice at Castle Gate, Utah.

REPORT OF VIRGINIA

A public employment service under the department of labor and industry was authorized, with an appropriation of $2,500.

Permission was given the commissioner of labor to accept an office under the Federal Employment Service at $1 per year.

A law putting a $5,000 tax on emigrant employment agencies was passed.

The sanitary law was slightly improved, the word "factory" being changed to "establishment."

The mine safety law was greatly improved and extended to include all underground mines as well as coal mines.

The workmen's compensation law was amended in several particulars—minimum increased $1; loss of hearing and facial disfigurement included-burial expenses increased; minors illegally employed given same status as adult employees, in addition to right of parent to sue for loss of service; owners as well as subcontractors made liable for compensation when the work is a part of the trade, business, or occupation of the owner; insurance tax increased from 3 to 3½ per cent, and fund segregated for administration of compensation.

A committee was appointed to investigate old-age pensions.

A barbers' sanitary bill passed the senate but died on the calendar of the house the last day.

Improved safety legislation authorizing adoption of safety codes passed the house but was defeated by a large lobby of manufacturers in the senate committee.

An attempt to obtain a better fire-escape law was killed in committee.

The law for women was not even reported out of committee.

An amendment to the child-labor law exempting children bringing farm, poultry, and dairy produce from farm to city was killed in committee.

In the workmen's compensation bill, an occupational disease clause and an increase in death benefits were defeated in committee, and an increase in maximum and decrease in waiting period passed the house and died on the calendar in the senate the last day of the session.

REPORT OF WEST VIRGINIA

The Legislature of West Virginia meets biennially, and the next session will not convene until January, 1925. This being the year in which no session is held, and there being no occasion for an extraordinary session, there is no new legislation to report. A great deal of the labor legislation enacted at the 1923 session was reported at the last annual convention held in the city of Richmond.

Since our last session and within the past year the State Bureau of Labor of West Virginia, with an enlarged department, has experienced more thorough factory inspection and we are glad to report the occurrence of fewer accidents. We feel that in proportion to the increased activities of the inspection force the number of accidents will be decreased.

Seven inspectors, one a woman, compose the field force of the department. The one woman inspector has been assigned to look after women and children in industry, while the six men have covered the factories and workshops most thoroughly.

An important decision affecting the employment of children has been rendered by our supreme court recently. This court held, and the decision was concurred in by the whole court of five judges, that no work permit warranted the employment of a child in a prohibited occupation. A boy was awarded damages for the loss of an arm while employed in a coal mine, he being under 16 years of age. The court further declared that the workmen's compensation act protects neither employer nor employee where said minor is unlawfully employed.

A number of changes have been made in the workmen's compensation law of the State, becoming effective July 1, 1923. The sum for medical and hospital services was increased from $300 to $600. An increase of from $300 to $600 was made to enable each individual injured in industry to prepare himself for a suitable vocation. This is known as the rehabilitation clause of the compensation act. The maximum per week for injured workmen was increased from $12 to $16. An increase from 50 to 66⅔ per cent on the average earnings of employees was made. The compensation to widows was increased from $20 to $30 per month, and all children under 16 years of age were made beneficiaries. The minimum premium is 15 cents on $100 and this comes under the schedule for clerical work. The schedule for coal mining runs from 80 cents, the minimum, to $3, the maximum, on $100, based on the monthly pay roll.

REPORT OF ONTARIO

There was passed by the Ontario Legislature in 1924 an amendment to the workmen's compensation act, providing for the rehabilitation of workers injured in industry who are unable to resume their previous occupations.

The customary benefits under the act are continued while the worker is being trained, at the Government's expense, for some suitable form of employment which his disability may permit him to follow.

The sum of $100,000 has already been set aside toward the cost of the plan, but details as to the methods of carrying out the provisions of the amendment have not yet been finally settled.

The foregoing statement covers the only labor legislation of general interest passed since the 1923 convention of this association.

REPORT OF SECRETARY-TREASURER, MAY 1, 1923, TO MAY 19, 1924

RECEIPTS

Fund on hand at making of last report		$665.00
Interest on savings account		7.45
Interest on loan certificates		14.75
Dues to July 1, 1923, as follows:		
Ohio	$25.00	
North Carolina	10.00	
Virginia, Bureau of Rehabilitation	10.00	
Georgia	10.00	
New Jersey	25.00	
Oregon	15.00	
West Virginia	10.00	
Delaware	10.00	
Ontario	10.05	
		125.05

Dues to May 19, 1924, as follows:

Minnesota	$25.00	
Arkansas	10.00	
Kansas	15.00	
Virginia	15.00	
Virginia, Bureau of Rehabilitation	10.00	
Massachusetts	50.00	
Ontario	10.00	
Iowa	15.00	
Washington	25.00	
Oklahoma	10.00	
New Hampshire	10.00	
Pennsylvania	50.00	
Kentucky	10.00	
Connecticut	10.00	
New York	50.00	
Wisconsin	50.00	
Georgia	10.00	
Delaware	10.00	
		$385.00
Total		1,197.25

DISBURSEMENTS

1923		
May 2. Exhibit material (Mr. Spicer)	15.50	
4. Stenographic service (Mr. Wilson)	1.75	
10. Badges	12.54	
11. Exhibit Women's Bureau	4.00	
11. Louise Schutz—honorarium	50.00	
12. Louise Schutz, expenses tenth annual convention	3.00	
12. B. Sedar, stenographic service	6.50	
12. Minnesota Industrial Commission, telegrams	6.16	
17. Telegram	1.02	
17. Emma Ward, exhibit expenses	5.95	
16. Burton Card system	1.75	
18. Emma Ward, exhibit expressage	7.13	
June 1. Enterprise Printing Co., letterheads and envelopes	21.50	
1. Telegram	1.26	
12. B. Sedar, stenographic service	11.20	
July 18. Minnesota Industrial Commission, telegrams	2.31	
26. A. C. Williams, stenographic report of tenth convention	271.75	
26. Louise Schutz, registering report	1.82	
Aug.14. Minnesota Industrial Commission, telegrams	1.49	
1924		
Jan. 7. Enterprise Printing Co., receipt book	6.50	
26. Louise Schutz, trip to Chicago	50.00	
Mar.19. Enterprise Printing Co., 1,000 letterheads and envelopes	14.00	
Apr.20. Minnesota Industrial Commission, telegrams	3.69	
14. Louise Schutz, trip to Chicago	45.24	

May 9.	B. Holstrom, stenographic service	$2. 50
10.	Enterprise Printing Co., tentative programs and envelopes	33. 00
10.	Telegram, T. Heiman	1. 10
13.	Western Badge & Novelty Co., 150 badges	33. 00
13.	Enterprise Printing Co., letterheads	9. 00
	Total	624. 66
Cash on hand and in bank, May 19, 1924		572. 59
		$1, 197. 25

Respectfully submitted.

LOUISE E. SCHUTZ, *Secretary-Treasurer.*

REPORT OF COMMITTEE TO CONSIDER CONSOLIDATION OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS OF THE UNITED STATES AND CANADA AND THE INTERNATIONAL ASSOCIATION OF INDUSTRIAL ACCIDENT BOARDS AND COMMISSIONS

Your committee appointed to report upon the advisability of the merging of this association with the International Association of Industrial Accident Boards and Commissions have given what we feel to be due and proper consideration to the subject.

We find, first, the membership of the International Association of Industrial Accident Boards and Commissions is composed solely of State and Provincial organizations having to do primarily with the administration of the workmen's compensation laws. There is an associate membership composed partly of the same class of State organizations and partly of entirely outside and nongovernmental organizations.

It is true that in a few States the compensation commissions or the industrial commissions handling compensation matters also have general control of factory inspection and general labor statistics. However, even in such cases the delegates to the conventions of the International Association of Industrial Accident Boards and Commissions are usually those having to do with and interested in the administration of compensation laws primarily. The programs and published proceedings of this association indicate conclusively that it deals only with the technical questions of administration of this single kind of legislation. They also indicate that its programs are very full, that it has all it can handle along the lines it has chosen, and that the time of its conventions has reached in at least one instance a period of five days.

Your committee believes that it would be impracticable to extend this program sufficiently to include a reasonable discussion of the many-sided topics that the members of the Association of Governmental Labor Officials of the United States and Canada are interested in aside from the strictly workmen's compensation topics.

The International Association of Industrial Accident Boards and Commissions is a strong organization numerically and financially. Any merger of the Association of Governmental Labor Officials of the United States and Canada with this powerful organization would mean, in the opinion of your committee, a submerging f the Association of Governmental Labor Officials of the United States and Canada.

The International Association of Industrial Accident Boards and Commissions covers a single field, covers it thoroughly, and its membership is a group of men

intensely earnest and interested in their own work. Nothing but impatience on their part could result from attempting to inject into their proceedings a discussion of the general work of bureaus of labor statistics, factory inspection, etc. The Association of Governmental Labor Officials of the United States and Canada is composed of State bureaus and organizations having to do with labor problems and labor statistics in a very much more general way. Its membership is equally interested and enthusiastic along the lines of the field it covers, and nothing but impatience could result from a merger which would compel them to listen to papers and discussions having to do only with the administration of workmen's compensation laws.

As to the personnel of delegations to the conventions of the two associations being identical, your committee believes that this is true in a very few instances and that in such cases the delegates attend both conventions really under two entirely distinct aspects of their work and would prefer to keep them separate.

Your committee is further of the opinion that the proposition to hold the conventions of the two associations in the same city at the same time is impracticable and unwise and would not result in real economy. No man can attend both of the conventions at once, and no man can do the work outlined by these conventions for both associations at once, and the tendency of holding the conventions at the same time and place would be to weaken the proceedings of both.

In other words, each of these associations has a full-time job, particularly during conventions. Your committee therefore strongly urges that the subject of merging these two associations be definitely dropped.

ETHELBERT STEWART.
D. M. BLANKINSHIP.
F. E. WOOD.

The report was unanimously adopted.

The report of the committee appointed to revise the constitution was presented and adopted. The constitution proposed in the report and adopted appears on pages VI to VIII.

REPORT OF COMMITTEE TO CONSIDER ADVISABILITY OF CONSOLIDATION OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS OF THE UNITED STATES AND CANADA AND THE INTERNATIONAL ASSOCIATION OF PUBLIC EMPLOYMENT SERVICES

We, the joint committee appointed from the Association of Governmental Labor Officials of the United States and Canada and the International Association of Public Employment Services to consider the question of amalgamation of the two associations, having met in executive session in the gold room of the Congress Hotel on May 19, 1924, and in pursuance with instructions of the above-named organizations, after due deliberation, beg to submit for your consideration and approval the following report:

We believe that the interests of the two organizations are so closely related that in our judgment it seems unwise to maintain the dual associations. The duties of same in many instances overlap. The amalgamation would make for greater economy and for that reason would be looked upon with greater favor by the Federal, State, and Provincial Governments.

The proposed amalgamation would tend to stimulate attendance, would result in a larger membership and bring about a closer coordination of activity.

Therefore we unanimously recommend the amalgamation of the Association of Governmental Labor Officials of the United States and Canada, and the Inter-

national Association of Public Employment Services, and further recommend that upon the adoption of this recommendation the titles be so changed that neither organization will lose its identity.

Respectfully submitted.

H. C. HUDSON.
R. A. RIGG.
H. R. WITTER.
JOHN S. B. DAVIE.
LOUISE E. SCHUTZ.
O. H. BRACH.

The report was adopted by the association. A motion was made and passed that a committee be appointed to confer with the International Association of Public Employment Services in regard to matter of consolidation. The report was later not accepted by the International Association of Public Employment Services.

REPORT OF COMMITTEE APPOINTED TO CONSIDER UNIFORM METHODS OF ACCIDENT REPORTING AND COMPILING STATISTICS

BY ETHELBERT STEWART, UNITED STATES COMMISSIONER OF LABOR STATISTICS

The death of Mr. Carl Hookstadt early in the year put an end to the plans of the United States Bureau of Labor Statistics so far as getting behind this committee and getting some real work done were concerned. Mr. Hookstadt, as you know, represented that bureau on this committee.

However, I have had prepared some material which, though it goes to illustrate our problems rather than to solve them, I believe ought to be shown here to-day, and so I will request the privilege of making what may be termed a progress report.

Since the death of Mr. Hookstadt has left this committee with no Bureau of Labor Statistics representative, I would like to request here that I be made the nominal representative of the bureau on the committee with the understanding that I can later name as my alternate some one who can give more time to the work, and to request further that the time of the committee be extended.

I need not call your attention to the fact that this committee has no thought of advocating the old idea that the States should agree upon certain investigations and all be doing the same thing in the same way at the same time. That old idea of uniform statistics has been exploded, and I have no idea of reviving it. What we mean now by uniform methods of reporting statistics is a very different proposition. We simply propose that when a State elects to issue reports on the volume of employment, for instance, it shall use the same classification of industries and the same classification of occupations that all the other States use, so that the figures from one State will be directly comparable with those of other States along the same lines. This means, of course, that there must be one classification system and that the States will ultimately adopt it. As I said, my purpose in this report is more to present the difficulty than to solve it, and in doing so I shall confine myself to the classifications used in reporting the volume of employment, with the statement, however, that we are confronted with precisely the same kind of difficulty when we attempt to compare accidents, either by cause or any other phase, and when we attempt to compare wages.

In fact there is not a single subject in which you can compare the reports of one State labor bureau with another with any degree of satisfaction or assurance of the correctness of your comparisons. Even where some groups seem to be identical, the different phraseology used by the different bureaus shoots clouds of doubt across them all.

It is exceedingly unfortunate that on such simple propositions as wages in an industry, the cause and results of accidents, or the volume of employment we can not use the State reports in any attempt to compile general statistics. From time to time individual statisticians and statistical committees have with more or less vigor stressed the lack of uniformity in State labor statistics and bewailed the impossibility of making exact comparisons. Some progress has been made

along the line of standardization, but what remains to be done is no job for the faint-hearted.

For example, in the Monthly Labor Review of the Bureau of Labor Statistics for August, 1924 (pp. 110, 111), an attempt was made to compare the average weekly earnings in some industries in Illinois, New York, and Massachusetts for the month of May, 1924. When the work was completed it was found necessary to strike certain industries out of the table entirely, not because those industries were not found in all three States but because of the striking difference in State classifications. An outstanding illustration was that of the printing, paper, and paper goods group under which there are 13 subclassifications for the three States combined, no two of them being identical in terminology for the three States and only one in which two States used identical language.

Again, in the Monthly Labor Review for December, 1924 (pp. 49–51), a comparison of average weekly earnings in nine industry groups in California, Illinois, and New York was attempted; but here again we were compelled to emphasize the fact that the composition of very similarly designated groups was so different as to make conclusions based thereon quite dubious.

I have had prepared a statement showing in figures the variation in industrial classifications carried by nine State labor bureaus and the Bureau of Labor Statistics in their statistics on the monthly volume of employment, and also the Census classification, thus showing the classifications of 11 reporting bodies. The table constitutes what seems to me a powerful argument for greater uniformity in State labor statistics.

NUMBER OF INDUSTRIAL CLASSIFICATIONS USED BY VARIOUS STATE AND FEDERAL AGENCIES AND NUMBER OF SUCH AGENCIES CARRYING SUCH CLASSIFICATIONS, BY INDUSTRY GROUPS

Industry group	Number of classifications	Number of agencies using one or more of the classifications
Agriculture	3	3
Brooms, brushes, etc.	3	3
Chemical and allied products	20	10
Clothing, laundering, etc.	29	11
Construction	6	2
Food, beverages, and tobacco	51	11
Furs, leather, and rubber goods	30	10
Lumber and its products	35	11
Metals and metal products	69	11
Mining	4	3
Paper and printing	30	11
Public utilities	11	6
Stone, clay, and glass products	22	10
Ship building	4	6
Textiles	21	11
Vehicles for land transportation	21	11
Nonmanual	17	3
Miscellaneous	5	5
Total	381	11

This table reveals the fact that the 11 agencies use 381 classifications, 69 of which are in the metals and metal products group alone. But the situation is really worse than this table would indicate, because in many instances where the general classification agrees fairly well with that of some other States the phraseology used is just different enough to raise the question as to whether or not it refers to the same thing. For example, does iron and steel in the Illinois reports mean the same as iron, steel, and blast furnaces in the Pennsylvania reports? Can we compare with absolute assurance of accuracy the Illinois classification "electrical apparatus" with "electrical machinery and apparatus" in the New York and Pennsylvania reports, or with "electrical machinery, apparatus, and supplies" in the reports of Massachusetts and the United States Bureau of Labor Statistics and in the Census tables? Does "foundry" in Maryland mean the same thing as "foundry and machine shops" in Iowa, New York, Oklahoma, Pennsylvania, and Wisconsin?

So you will see that it is not enough to get together on general classification terms. We must go further and agree upon phraseology and terminology within the groups.

I want to call your attention now to a chart which illustrates the wide variation in industrial classifications used in reporting the single subject of volume of employment. When you multiply the difficulty shown in this chart by the total number of subjects handled by any given State you will get a fair idea of what lies before this committee, and I trust you will also get a fair idea of the importance of cutting out this maze of terms in the interest of economy in printing and of extending the value of your statistical work beyond the confines of your own States.

You will probably say that it is not always easy to tell into just which group an occupation, for instance, or a subdivision of an industry, should be placed. My reply is that the difficulty in determining where to place certain classifications only accentuates the need for further Federal and interstate cooperation in the matter of selection and terminology for the classification of industry groups as well as of individual industries.

[The following table includes the material shown in chart form by Mr. Stewart. The data were taken from the State and Federal reports of the latest available issues in 1925:]

INDUSTRIAL CLASSIFICATIONS USED IN REPORTS OF SPECIFIED STATE AND FEDERAL AGENCIES[1]

Industry	California	Illinois	Iowa	Maryland	Massachusetts	New York	Oklahoma	Pennsylvania	Wisconsin	U. S. Bureau of Labor Statistics	U. S. Census of 1921
AGRICULTURE											
Agriculture									X		
Farm hands							X				
Seeds			X								
BROOMS AND BRUSHES, ETC.											
Brooms and brushes			X								
Brushes				X							X
Mattresses and spring beds				X							X
CHEMICALS AND ALLIED PRODUCTS											
Chemicals				X						X	X
Chemicals and allied products								X		X	
Chemicals (including soap, glue, explosives)									X		
Chemicals, oils, paints, etc	X	X				X					
Drugs and chemicals		X				X					
Miscellaneous chemicals						X					
Miscellaneous chemical products	X	X									
Patent medicines			X	X							
Explosives	X										
Fertilizers				X						X	X
Cottonseed-oil mills							X				
Mineral and vegetable oil		X									
Mineral oil refining	X										
Oil industry							X				
Oil products						X					
Petroleum refining						X				X	X
Production and gas extraction											
Refineries							X				
Paints and colors						X	X				
Paints, dyes, and colors	X		X								
CLOTHING, LAUNDERING, ETC											
Clothing								X	X		
Clothing and millinery						X					
Clothing, men's	X	X	X		X	X				X	X
Clothing, men's outer garments				X							
Clothing, millinery, laundering, etc	X	X									
Clothing, women's	X	X			X	X				X	X
Clothing, women's, and woolen goods			X								

[1] The heavy face "X" signifies that in the State specified the classification is that of a group, the industries of which it is conmposed being shown thereunder.

INDUSTRIAL CLASSIFICATIONS USED IN REPORTS OF SPECIFIED STATE AND FEDERAL AGENCIES—Continued

Industry	California	Illinois	Iowa	Maryland	Massachusetts	New York	Oaklahoma	Pennsylvania	Wisconsin	U. S. Bureau of Labor Statistics	U. S. Census of 1921
CLOTHING, LAUNDERING, ETC.—continued											
Clothing, women's outer garments				X							
Overalls and work clothing		X									
Furnishing goods, men's				X		X					X
Men's shirts and furnishings		X									
Shirts				X							X
Shirts and collars						X				X	
Women's underwear						X					
Women's underwear and furnishings		X									
Hats, felt and other								X			
Hats, straw											X
Millinery	X		X								
Millinery and lace goods										X	
Men's hats and caps		X									
Women's hats		X									
Women's headgear						X					
Laundries			X								
Laundering and cleaning						X	X				
Laundering, cleaning, and dyeing	X	X							X		
Umbrellas				X							
Umbrellas and canes											X
Buttons, pearl			X								
Miscellaneous sewing						X					
CONSTRUCTION											
Building and contracting		X									
Building construction		X							X		
Highway construction									X		
Marine dredging, sewer digging									X		
Miscellaneous contracting		X									
Road construction		X									
FOOD, BEVERAGES, AND TOBACCO											
Bakeries							X	X			
Bakery products			X			X					
Baking				X						X	
Baking and confectionery									X		
Bread and other bakery products	X	X			X						X
Candy						X					
Confectionery		X	X	X	X		X			X	X
Confectionery and ice cream	X							X			X
Ice cream		X		X						X	X
Ice and ice cream							X				
Manufactured ice	X	X									X
Sugar	X										
Sugar, sirup, starch, glucose			X								
Sugar refining, cane										X	X
Canning and packing fish	X										
Canning and preserving fish										X	
Canning and preserving						X			X		
Food preparation				X							
Fruit and vegetable canning and preserving	X	X									
Cereals			X				X		X		
Flour						X				X	
Flour and gristmills	X										
Flour and mill products			X								
Flour mills							X		X		
Flour, feed, and other cereal products		X				X					
Creameries and dairies							X				
Dairy products	X	X									
Milk products									X		
Beverages	X	X				X					
Beverages and soft drinks				X							
Foods										X	
Food and kindred products			X								X
Food, beverages, and tobacco	X	X									
Foods and tobacco						X		X			
Food production							X				
Groceries, not elsewhere specified	X	X				X					
Other food products	X								X		
Other food products, coffee			X								

INDUSTRIAL CLASSIFICATIONS USED IN REPORTS OF SPECIFIED STATE AND FEDERAL AGENCIES—Continued

Industry	California	Illinois	Iowa	Maryland	Massachusetts	New York	Oklahoma	Pennsylvania	Wisconsin	U. S. Bureau of Labor Statistics	U. S. Census of 1921
FOOD, BEVERAGES, AND TOBACCO—continued											
Meat and poultry							X				
Meat and dairy products						X					
Meat packing			X			X			X		X
Poultry, produce, butter			X								
Slaughtering and meat packing		X		X	X			X		X	X
Slaughtering and meat production	X										
Cigars and tobacco	X	X						X			
Tobacco				X	X	X					
Tobacco, chewing and smoking, and snuff										X	X
Tobacco, cigars			X								X
Tobacco, cigars, and cigarettes										X	X
Tobacco manufacturing									X		
Tobacco products										X	
FURS, LEATHER, AND RUBBER GOODS											
Boots and shoes		X		X	X	X		X	X	X	
Boots and shoes (not including rubber)											X
Boot and shoe cut stock and findings					X						
Rubber boots and shoes										X	
Rubber footwear					X						
Shoes			X								
Furs and fur goods						X					
Furs and leather goods		X									
Furs, leather, and rubber goods						X					
Fur goods and tanning, also leather gloves			X								
Finished leather products	X										
Leather		X				X			X	X	
Leather and its products										X	
Leather and rubber goods	X										
Leather goods				X							
Leather products			X					X			
Leather, tanned, curried, and finished					X						X
Leather tanning								X			
Miscellaneous leather goods		X									
Other leather and canvas goods						X					
Other leather products									X		
Saddlery and harness			X								X
Tanning	X								X		
Automobile tires			X							X	
Rubber									X		
Rubber and gutta percha						X					
Rubber goods	X				X						
Rubber tires and goods								X			
Rubber tires and tubes					X						X
Rubber tire manufacturing				X							
LUMBER AND ITS PRODUCTS											
Boxes, wooden				X							
Boxes, wooden packing					X						
Box factories, wood									X		
Carriages and wagons										X	X
Carriages, wagons, truck bodies			X								
Coffins, undertaker's goods, etc.			X								
Furniture and cabinetwork		X				X					
Furniture				X	X	X		X	X	X	X
Furniture, desks, etc.			X								
Household furnishings		X									
Musical instruments					X						
Pianos				X							
Pianos and organs										X	
Pianos, organs, and other musical instruments		X				X					
Refrigerators			X								X
Logging									X		
Lumber and its products										X	
Lumber and planing-mill products				X				X			
Lumber products			X								
Millwork						X	X			X	
Millwork, interiors, etc.			X								
Panel and veneer mills											
Planing mills, sash and door factories, etc	X										
Sash, doors, and interior finish									X		

INDUSTRIAL CLASSIFICATIONS USED IN REPORTS OF SPECIFIED STATE AND FEDERAL AGENCIES—Continued

Industry	California	Illinois	Iowa	Maryland	Massachusetts	New York	Oklahoma	Pennsylvania	Wisconsin	U. S. Bureau of Labor Statistics	U. S. Census of 1921
LUMBER AND ITS PRODUCTS—continued											
Sawmills	X					X	X				
Sawmills and logging camps		X				X			X		
Sawmill and planing-mill products		X				X					
Miscellaneous wood, etc											
Miscellaneous wood products	X										
Other wood manufactures									X		
Other wood products									X		
Wood						X					
Wood manufactures		X									
Wood products							X				
Woodworking											
METALS AND METAL PRODUCTS											
Cooking, heating, and ventilating apparatus		X				X					
Furnaces			X					X			
Heating appliances and apparatus					X					X	X
Steam fittings, and steam and hot-water heating apparatus						X					
Steam and hot-water heating apparatus				X		X			X	X	
Stoves											X
Stoves and ranges					X						
Stoves and stove linings									X		
Aluminum and enamel ware						X				X	X
Stamped and enamel ware											X
Stamped ware				X							
Stamping and enamel ware				X							
Foundry			X			X	X	X	X		
Foundry and machine shops					X					X	X
Foundry and machine-shop products								X			
Foundry products											
Iron and steel forgings	X										
Iron and steel forgings, bolts, nuts, etc					X						
Machine-shop products					X					X	X
Machine tools											
Other iron foundry and machine-shop products	X				X	X					
Cutlery and tools		X				X					
Firearms, tools, and cutlery						X				X	X
Hardware						X					
Instruments and appliances		X				X					X
Instruments, professional and scientific										X	
Iron and steel		X						X			X
Iron, steel, and blast furnaces										X	
Iron and steel, and their products			X			X					
Iron and steel work							X				
Lead and zinc smelters									X		
Metal								X			
Miscellaneous iron and steel									X		
Pig iron and rolling-mill products								X			
Steel works and rolling mills	X										
Other sheet-metal products	X										
Structural and ornamental steel						X					
Structural and architectural iron work								X	X	X	
Structural iron work							X				
Tank construction and erection					X						X
Jewelry		X									
Watches, watch cases, jewelry (gold, silver, and precious stones)						X					
Silver and jewelry	X	X	X			X				X	X
Agricultural implements		X									
Electrical apparatus						X		X			
Electrical machinery and apparatus					X				X	X	X
Electrical machinery, apparatus, and supplies								X			
Engines, machines, and machine tools	X										
Engines, pumps, boilers, and tanks		X							X		
Machinery						X					
Machinery, including electrical apparatus						X	X				
Metals and machinery	X	X									
Metals, machinery, and conveyances			X								
Pump					X						X
Textile machinery and parts			X								
Washing machines				X							X
Brass and bronze											

INDUSTRIAL CLASSIFICATIONS USED IN REPORTS OF SPECIFIED STATE AND FEDERAL AGENCIES—Continued

Industry	California	Illinois	Iowa	Maryland	Massachusetts	New York	Oklahoma	Pennsylvania	Wisconsin	U. S. Bureau of Labor Statistics	U. S. Census of 1921
METALS AND METAL PRODUCTS—continued											
Brass, bronze, and copper products	X										
Brass and bronze products, plumber's supplies			X								
Brass, copper, aluminum, etc						X					
Brass, copper, zinc, babbitt metal		X									
Copper, tin, sheet iron, etc					X						
Metal manufactures								X			
Metal products other than iron and steel										X	
Other metal products									X		
Plumber's supplies				X							X
Sheet metal and hardware		X				X					
Tinware											X
Tin cans	X										
MINING											
Coal mining									X		
Iron mining									X		
Lead and zinc mining							X		X		
Mining		X							X		
PAPER AND PRINTING											
Paper and pulp										X	X
Paper and pulp products								X			
Paper and wood pulp					X						X
Paper and pulp mills									X		
Boxes, fancy and paper				X							
Boxes, paper					X				X	X	
Paper boxes and tubes						X					
Paper boxes, bags, cartons, etc	X										
Paper boxes, bags, and tubes		X									
Miscellaneous paper goods		X				X					
Other paper products	X								X		
Paper						X			X		
Paper and paper products			X								
Stationery goods					X						
Bookbinding					X						
Edition bookbinding		X									
Lithographing				X							X
Job printing		X					X				X
Paper and printing										X	
Paper products, printing and publishing			X								
Printing	X			X		X					
Printing, book and job						X				X	
Printing and bookmaking						X					
Printing and paper goods		X				X					
Printing and publishing			X					X	X		X
Printing and publishing, book and job					X						X
Printing and publishing, newspapers					X						
Printing, newspapers and periodicals		X									
Printing, newspapers						X				X	
Publishing	X										
PUBLIC UTILITIES											
Communication									X		
Telephones		X									
Express, telephone, and telegraph									X		
Light and power									X		
Water, light, and power	X	X				X	X				
Public service			X								
Public utilities		X					X				
Electric railways									X		
Railroad											
Steam railways									X		
Street railways		X					X				
SHIPBUILDING											
Boat and ship building						X					
Shipbuilding				X				X			
Shipbuilding, steel										X	X
Ship and boat building and naval repairs	X										

INDUSTRIAL CLASSIFICATIONS USED IN REPORTS OF SPECIFIED STATE AND FEDERAL AGENCIES—Continued

Industry	California	Illinois	Iowa	Maryland	Massachusetts	New York	Oklahoma	Pennsylvania	Wisconsin	U. S. Bureau of Labor Statistics	U. S. Census of 1921
STONE, CLAY, AND GLASS PRODUCTS											
Brick						X					
Brick and tile							X				
Brick, tile, etc				X							
Brick, tile, and cement blocks									X		
Brick and tile (clay)			X								
Brick, tile, and pottery	X	X				X					
Brick, tile, and terra cotta products								X		X	
Building materials								X			
Cement						X		X		X	X
Cement and plaster							X				
Cement, plaster, gypsum			X								
Lime, cement, and plaster	X	X				X					
Glass	X	X		X		X	X	X		X	X
Pottery						X		X		X	X
Stone							X				
Stone and clay products			X								
Stone, clay and glass products	X	X				X	X			X	
Stone and allied industries									X		
Stone crushing and quarrying									X		
Stone finishing									X		
Marble and granite, crushed rock and stone			X								
Miscellaneous stone and mineral products	X	X				X					
TEXTILES											
Carpets and rugs					X	X		X		X	
Cotton goods		X		X	X	X		X		X	X
Dyeing and finishing					X	X		X		X	
Gloves, hosiery and awnings, etc.			X								
Hosiery and knit goods					X			X	X	X	
Knit goods	X										X
Knit goods, cotton and woolen hosiery		X									
Knit goods (excluding silk)						X					
Silk goods				X	X			X		X	
Silk and silk goods						X					
Textiles	X	X	X			X			X		
Textiles and their products										X	
Textile products							X	X			
Textiles and cleaning							X				
Thread and twine		X									
Other textiles						X					
Other textile products	X								X		
Woolens and worsteds						X		X			
Woolen and worsted goods					X					X	
Woolen goods											X
Woolen manufactures						X					
VEHICLES FOR LAND TRANSPORTATION											
Cars and general shop construction and repairs, steam railroads					X						X
Cars and locomotives		X									
Car building and repairing				X							
Car building and repairing, electric railway										X	
Car building and repairing, steam railroad										X	
Car construction and repairs								X			
Cars, locomotives, and railway repair shops	X										
Locomotives and equipment						X					
Railroad shops							X				
Railway repair shops						X					
Railroad repair shops									X		
Railroad equipment						X					
Automobiles									X	X	
Automobiles and accessories		X									
Auto repairs, etc							X				
Automobiles and parts						X					
Automobiles, bodies, and parts	X										
Automobiles, carriages, and airplanes						X		X			
Automobiles, including bodies and parts					X						
Automobiles, tractors, engines, etc			X								
Vehicles for land transportation										X	

INDUSTRIAL CLASSIFICATIONS USED IN REPORTS OF SPECIFIED STATE AND FEDERAL AGENCIES—Continued

Industry	California	Illinois	Iowa	Maryland	Massachusetts	New York	Oklahoma	Pennsylvania	Wisconsin	U. S. Bureau of Labor Statistics	U. S. Census of 1921
NONMANUAL											
Communication									X		
Construction									X		
Manufacturing, mines and quarries									X		
Miscellaneous (professional service)									X		
Department stores		X									
Mail order houses		X									
Mercantile			X								
Retail trade (sales force only)									X		
Trade, wholesale and retail		X									
Wholesale dry goods		X									
Wholesale groceries		X									
Wholesale houses			X								
Wholesale trade									X		
Hotels and restaurants (and manual)									X		
Teachers									X		
Urban									X		
Rural									X		
MISCELLANEOUS											
All other industries					X						
Miscellaneous				X							
Miscellaneous industries								X		X	
Other industries			X								
Various industries			X								

The report was adopted, and a motion was passed continuing the life of the present committee and appointing Mr. Ethelbert Stewart as a member thereof in the place of Carl Hookstadt, deceased.

REPORT OF COMMITTEE TO DRAFT SUGGESTIONS ON UNIFORM SAFETY LAWS

Your committee is agreed and reports that the right and power to promulgate rules, codes, and regulations affecting safety matters, factory inspection, etc., should in all cases be embodied in a board or commission, rather than written into the statute. We recommend that this association put itself squarely behind such change in the laws of any State as will accomplish this result.

Your committee further recommends that if the association favors the drafting of a definite bill to be introduced into legislatures to secure uniform action that the committee be continued to draft and submit such bill.

(Signed) CLAUDE CONNALLY, *Chairman*

The report of the committee was accepted. As a result of this report resolution No. 7 was adopted later (see p.141).

The report on safety codes was made by Sidney J. Williams, chief engineer of the National Safety Council, as follows:

REPORT ON SAFETY CODES

Mr. Leveridge, of New Jersey, asked that I make a report on the Forging Code. This is a part of the general plan for securing uniformity in the regulations of various authorities. Field inspectors are often told by employers that they had been asked to guard machinery differently to suit some other inspector. As a result of several national conferences it was finally decided that the people

interested ought to get together and agree on uniform safety standards to be used by the different States. Your association has been taking part in a good many of these projects. For every code that is proposed a committee is set up. Mr. Leveridge is a member of the Forging Code Committee. There are representatives of insurance companies, of labor, and of employers on these committees, also representatives of the Federal departments. That particular code has gotten to the point where a semifinal draft has been agreed upon, to be published in the magazine of the National Safety Council next month.

This association has been in on this work for some time One State can not represent another but one State can represent the general point of view of the State enforcing authorities so we feel that you have all taken part in this as far as is practicable. When a State decides to adopt a code it will now have a starting point. It can change the model code to suit its own particular conditions. Each of these national standards represents the best experience and most honest thought that can be put on them.

Mr. Keown, who served on the Laundry Code Committee for Mr. Wilcox, reported that the Laundry Code is completed.

Mr. Chaney is a member of nearly all these code committees. The Building Exits Code deals with the matter of safe exits of schools, theaters, etc. The part relating to schools is complete and the general engineering standards are completed. As to the Code on Elevators, the American Society of Mechanical Engineers has been working this out. A revision is now being made by a joint committee. This code should be out in the next six months.

The Federal Bureau of Standards is the sponsor for the revision of the National Electric Code, which code is already recognized as the national standard.

Some of the other committees are as follows: Code on Ladders, Code on Punch Presses, Code on Transmission-gears, etc., Code on Abrasive Wheels, Code on Woodworking Machinery (nearly complete), Code on Logging (nearly complete), and Code on Head and Eye Protection.

[Mr. John Spicer, of Pennsylvania, made a report of the work of the sectional committee of the National Fire Protection Association for the revision of the National Electrical Code.]

The following paper on the plan of the committee on governmental employment statistics of the American Statistical Association as to current statistics of employment and earnings was submitted by Prof. D. D. Lescohier of the University of Wisconsin:

CURRENT STATISTICS OF EMPLOYMENT AND EARNINGS

BY D. D. LESCOHIER, ASSOCIATE PROFESSOR OF ECONOMICS, UNIVERSITY OF WISCONSIN

One of the most important facts which the President's Conference on Unemployment found concerning unemployment was that it could not find the facts. The investigators appointed by the conference reported that there was no available body of statistics which would make it possible to determine the number of workers idle in the United States at any given time or the fluctuations in the numbers idle from month to month. Statistics of employment gathered monthly by New York, Massachusetts, Wisconsin, and the United States Bureau of Labor Statistics, with some scattered figures gathered by other States and private organizations, enabled them to estimate

roughly the unemployment of 1921, but not to measure it. Following the President's Conference, Secretary Hoover appointed a committee on business cycles, which decided that the problem of discovering means to provide the Nation with reliable employment or unemployment statistics should be assigned to a subcommittee. It happened that the American Statistical Association, at its preceding meeting had provided for the creation of a committee on governmental employment statistics, with the duty of analyzing the employment statistics published by governmental agencies and of suggesting improvements. This committee was adopted by the committee on business cycles as its technical subcommittee on employment statistics, and funds were obtained to make possible vigorous prosecution of the work of the committee.[1]

This committee included in its membership both statisticians actively engaged in the publication of employment statistics, representatives of all of the Government departments directly concerned with such statistics, and persons who use, rather than produce, such statistics.

The committee, in a series of meetings in New York City, carefully analyzed all employment statistics being published, considered desirable changes which should be made in the methods of collecting and publishing such statistics, and unanimously decided upon several recommendations which it knew could be carried out. It found that current monthly statistics of employment are of value to keep the Nation informed upon the trends of employment and of unemployment which are affecting the social welfare, and to reveal the trends of production and business activity. They measure the flux of the activity of business more accurately than any other single index of business conditions.

The committee, therefore, recommended that effort be concentrated upon the collection and publication of statistics of the number employed, rather than upon efforts to compute the numbers of persons unemployed.

The committee also found that the data, to serve these ends, must be published regularly at monthly intervals and as quickly as possible after the date of collection. It was clear to the committee that the figures should be gathered from all of the important industries and published separately for each of them; that they should be available for all sections of the country; and that they should be published in a standardized form that would make it possible for the figures of the different States to be combined into reliable district and national indexes of employment.

[1] The membership of the committee was (and is) as follows: A. J. Altmeyer, secretary Industrial Commission of Wisconsin; Chas. E. Baldwin, assistant commissioner U. S. Bureau of Labor Statistics; Joseph A. Becker, statistician Bureau of Agricultural Economics, U. S. Department of Agriculture; William A. Berridge, assistant professor of economics, Brown University; W. Randolph Burgess, assistant Federal reserve agent, Federal Reserve Bank of New York; R. D. Cahn, chief statistician general advisory board, Free Employment Offices, Illinois Department of Labor; Frederick E. Croxton, assistant professor of economics, Ohio State University; J. Frederic Dewhurst, chief statistical division, Federal Reserve Bank, Philadelphia; Don D. Lescohier, associate professor of economics University of Wisconsin; Max O. Lorenz, director bureau of statistics, Interstate Commerce Commission; Royal Meeker, secretary of Labor and Industry of Pennsylvania; Eugene B. Patton, chief statistician New York Department of Labor; Roswell F. Phelps, director division of statistics, Massachusetts Department of Labor and Industries; Walter W. Stewart, director division of research and statistics, Federal Reserve Board; Fred G. Tryon, statistician in charge of coal and coke statistics, U. S. Geological Survey; Leo Wolman, New School for Social Research, New York, N. Y.; Ralph G. Hurlin (secretary), director of the department of statistics, Russell Sage Foundation.

The committee suggested that each State begin the development of employment statistics by asking from 25 to 40 per cent of representative employers in each industry to report each month the number of persons on the pay roll nearest the 15th of the month and the total wages paid on that pay day. Several of the States have requested that these figures be given separately for males and females. The committee further recommended that the statistics should first be obtained from manufacturing in its main industrial divisions; then from mining and quarrying, communication, building construction, wholesale trade, retail trade, logging, and agriculture.

The States which had been collecting monthly statistics of employment have all adopted the recommendations of the committee. This is true also of the United States Bureau of Labor Statistics. Every one of these States and the Federal bureau found it necessary to change their practices in certain particulars in order to conform to the recommendations of the committee, but all of them have completely conformed. Several States which had not been collecting such figures have now adopted the standard plan and several more are seriously considering the inauguration of current employment statistics at an early date. At the present time there are six States in which the complete plan of the committee is in force: New York, Massachusetts, New Jersey, Illinois, Wisconsin, and Iowa. Oklahoma has adopted the suggestions of the committee, but complete cooperation between the State and the Federal Bureau of Labor Statistics has not yet been affected. This will be accomplished, however, during the summer of 1924. In Pennsylvania, Oregon, California, and Idaho, the State labor bureau and Federal reserve banks are cooperating in the publication of employment statistics, but the States have not yet seen their way to complete cooperation with the United States Bureau of Labor Statistics. In seven other States the Federal reserve banks are collecting employment statistics, but the State governments are inactive. The Federal Bureau of Labor Statistics is gathering employment statistics in 27 States.

Very distinct progress has been made, therefore, in the development of standardized and fairly adequate statistics measuring the fluctuations of employment and earnings in the United States. These are statistics of employment, not of unemployment. No practicable means has yet been devised for collecting current statistics of unemployment. Employment statistics, however, indicate the increase and decrease in the number of workers employed and give a fairly accurate measurement of unemployment. The State officials interested in the development of uniform employment statistics along the line suggested by the committee and accepted as standard practice by the Federal Government and the several States listed above may obtain detailed information concerning the course of collection of such statistics and the method of procedure by writing to the United States Bureau of Labor Statistics or to the industrial commissions or labor bureaus of the several States which have already adopted the standard plan.

The CHAIRMAN. We have another paper, from H. A. Mowery, secretary of the National Safe Walkway Surfaces Code Committee.

NATIONAL SAFETY CODE FOR WALKWAY SURFACES

BY H. W. MOWERY, SECRETARY NATIONAL SAFE WALKWAY SURFACES CODE COMMITTEE

Governmental labor officials for a long time have known the extreme seriousness of the hazards of unsafe walkway surfaces. Their statistical records have shown that it is one of the most prolific sources of casualty in industry and one of the most difficult to control. In isolated instances, safety engineers and others charged with the safeguarding of workmen, have made sporadic attempts to reduce their casualties from this source by various expedients. In public buildings, etc., some progress had been made in this direction by improvements in construction and maintenance, but the number of fatalities from falls remained near the top of the list in both public and industrial activities.

Interest in the subject has become very acute. Approximately 15,000 people per year were and are being killed through falls, nearly half of them occurring on stairs and floor level. There is no other hazard so difficult to combat. It is subtle and silent. The slippery spot in the floor makes no noise like a whirring belt or grinding gear. The inconspicuous stair tread even though defective, appears to be not nearly so dangerous as the rapidly revolving flywheel. The slippery door saddle and building entrance and countless other places usually constitute potential slipping hazards because no forethought to make them safe has been taken.

However, a very important step looking toward cooperative effort in combating this hazard has been taken. The National Safe Walkway Surfaces Code Committee is now preparing a code which shall become available as a model to State and municipal authorities in the formulation of laws and regulations, and which is also intended for use by architects, builders, owners, and others responsible for the safe condition of walkways.

The formation of this committee was brought about by a petition in 1922 from five interested parties addressed to the American Engineering Standards Committee, requesting that a general meeting be called for the purpose of discussing the desirability and feasibility of formulating such a code. Evidence was presented at that time to show the large number and great severity of accidents caused through unsafe walkway surfaces. It was pointed out that in one of the five boroughs of New York City (Manhattan) there had been an average for the past eight years of 101 persons killed annually by falls on stairs, whereas an average of only 11 per year were killed in elevators, less than 50 per year killed in fires, etc.

As a result of the preliminary conference, a general conference was held on February 14, 1923, in the Engineering Societies [2] Building. There were 63 national organizations represented, including six Federal departments or bureaus, National Association of Manufacturers, National Safety Council, Building Officials Conference, Association of Governmental Labor Officials, National Bureau of Casualty and Surety Underwriters, American Institute of Architects, and other influential organizations.

At this meeting a member of the American Institute of Architects declared that the architects had need for specifications along these lines and, in fact, asked that their organization be designated as a joint sponsor with the American Society of Safety Engineers in the preparation of the proposed code. The latter also making a similar request, it was subsequently determined to award the sponsorship jointly to them. This meeting unanimously resolved that there should be a national safety code for walkway surfaces and through a series of motions dealing with specific details it was agreed that—

A. The code should provide for: (*a*) Elevator floors; (*b*) elevator landings; (*c*) corridor floors and door thresholds; (*d*) ramps; (*e*) runway floors; (*f*) stair and fire-escape treads and landings; (*g*) sidewalks; (*h*) "accessories to buildings" including coalhole covers, sidewalk doors, and gratings; (*i*) floors and platforms around moving machinery and electrical apparatus.

B. The code should provide for: (*a*) Apartment houses; (*b*) factories and other work places; (*c*) office buildings; (*d*) hospitals; (*e*) hotels and restaurants; (*f*) railway cars; (*g*) railway stations and train platforms; (*h*) schools; (*i*) theaters; (*j*) ships.

C. Pertinent walkway surface characteristics to be specified should include: (*a*) Resistance to slipping; (*b*) freedom from the tripping hazard; (*c*) durability; (*d*) flammability; (*e*) insulation as well as nonslip characteristics of walkway surfaces around electrical apparatus.

D. General and maintenance requirements should be included in the code.

All of these decisions were made by unanimous vote except the inclusion of sidewalks, which was by a majority vote.

Following the main conference, the various representatives of the manufacturers of the different types of walkway surface materials met and organized a subcommittee, to enable them the better to cooperate with the main committee, as it appeared that the furnishing of data relating to the various available types of material would be required.

Steps were immediately undertaken to form the code committee in accordance with the authorization of the general conference, and the first meeting of the code committee proper was held June 15, 1923. Representatives of the manufacturers of walkway materials and about 18 different national interests were represented at this meeting. Dr. Lucian W. Chaney, United States Department of Labor, was elected chairman; F. Y. Johannes, American Institute of Architects, vice chairman; H. W. Mowery, American Abrasive Metals Co., secretary. Executive and plan and scope committees were appointed and other organization work completed. The actual work of formulating the code was placed in the hands of Dr. Lucian W. Chaney. The summer months were passed in gathering information and data and completing the first draft of the code.

At the next meeting, December 4, 1923, the first tentative draft of the code was presented. Objection was raised to the code dealing with construction features rather than with the safety elements of the surfaces. It seemed impossible to proceed any further until there was specification or definition of what constituted safety elements in walkway surfaces. It was finally determined to obtain information as to the requisite value of frictional resistance to be required, and, to determine this and other facts relative to the pertinent surface characteristics as required by the original conference,

tests by the Bureau of Standards at Washington, D. C., were authorized. Manufacturers having pledged and underwritten the expenses, are now submitting their materials for preliminary study. The building of machines with which to make the tests is under way. It will probably take a year before all the data desired will become available.

The extent of the code is broad. It is intended to cover all those walkway surfaces used by people who have had no voice in their construction or maintenance. Not only will there be certain definite requirements for particular locations, but there will be an appendix for informative purposes only.

In the mandatory portion of the code will be included requirements as to pertinent surface characteristics, such as frictional resistance, durability, dielectric strength, etc., in connection with certain locations, such as elevator floor landings, entrance lobby floors, corridors in certain types of buildings, such as apartment houses, hotels, schools, etc., which the general conference ordered. Rulings as to minimum frictional resistance allowable at certain locations will be based on the data being obtained through the tests being conducted by the Bureau of Standards at Washington.

The second section, for informative purposes only, will consist of chapters devoted to model specifications for the uses of the various types of walkway surface materials, methods of installation, etc. These specifications for each type will have been prepared and passed upon by the manufacturers of that type and in turn will be passed upon by the committee before their inclusion. There will be some attention devoted to cleansing of floors. This is an important item. Such work should not be permitted during the hours of use; and on certain types of floors, such as marble, tile, etc., the right sort of cleanser should be used.

There is much that the members of the Association of Governmental Labor Officials can do to further this work which is so important in the present concerted effort to reduce our casualty lists. It is hoped that more attention will be devoted to the tabulation of the casualty records in such manner that they will clearly show actual cases, with special reference to different types of falls. If State codes are already in the process of formulation, it would be well to communicate with the walkway code committee and obtain such information as it may have available. Upon completion of the walkway surfaces code and its approval by the American Engineering Standards Committee, the members of this association can be of immeasurable assistance in bringing about its general adoption in their respective States.

DISCUSSION

MR. STEWART. Mr. Mowery has prepared a very excellent paper. I should like very much to look it over, and to make a motion that he be requested to file that paper for publication. I believe we have the chairman of the walkway code section here, and I would like to hear from him. The speaker brought out one of the reasons why the Bureau of Labor Statistics of the Department of Labor at

Washington is trying to get the States to cooperate in the matter of giving accident rates by causes.

Figures for Massachusetts show that only about 30 per cent of the accidents occur in any of the ways on which we have been passing laws and spending money for years, such as guarding machinery and that sort of thing. I do not believe that the money has been wasted, though some people do. Until we get figures as to the rate of accidents from slips and falls we will not know just how serious the matter is, for to-day there are more accidents from slips and falls than from all of the things we have been spending time and money on in the past years in the way of guarding machinery. I do not know whether or not this code committee on walkways is going to solve the problem, but I think we ought to know what its viewpoint is. Personally, I think there is just about as much danger in the sole of the shoe as there is in the floor; you not only have to look after the floor, the walkways, but you have to get hold of a factory shoe somewhere that will stay put. I would like to hear from Doctor Chaney on that.

Mr. CHANEY. I do not know that I can add very much to what Mr. Mowery has already said. I would like to link it up with what was said earlier by one of the speakers.

This problem of walkways is more universal than any other problem which we have to deal with in the matter of safety codes. There is no one of you who has not at some time or other been conscious of the hazard in the matter of the walkway on which you were traveling. If the hazard was not in the walkway, it was, as Mr. Stewart states, in the shoe which you were wearing. I might say on that point that it is the purpose of this committee to go into the question with great thoroughness. We propose not simply to study walkway surfaces, but also to study the things which rest upon the walkway, and what their responsibility may be, and what studies might properly be followed with reference to that phase of the question. We are not going to stop with the walkways.

Upon tackling this matter, we are confronted with exactly the same difficulty which has been emphasized here—that is, inadequate information. The most serious difficulty, as I look at it from nearly 20 years' experience with statistics on various forms of industrial accidents, is the lack of knowledge of the amount of exposure—how many people were involved in this proposition and how many hours they worked. That side of the question has been almost entirely ignored.

You will notice that the fundamental thing in getting what we call accident rates is the facts with regard to the amount of exposure and the people involved, and the facts with regard to the cases—what happened to them. We have to have knowledge on that before we can begin to have any intelligent knowledge as to how to tackle the problem of remedy. In connection with this cooperative effort between the Bureau of Labor Statistics and the industrial commissions of the various States we hope to get information which will be useful in connection with our efforts to formulate proper safety codes.

As Mr. Mowery stated to you, the manufacturers making walkway material have been sufficiently interested to accumulate a fund. They propose to raise in the course of the next year $5,000, and to go on and spend another $5,000 in the next year, if necessary, to find out what are the qualities and characteristics of the materials which are being used, and what modification of those materials may be required in order to make them safer. It is entirely possible that these organizations in the States which you refer to can be of the utmost service with reference to matters of this kind.

If you will give us the facts which we ask for—information with regard to the amount of exposure, and the character and the number of the accidents which are occurring—we will have something to go upon. There will be no body of information coming from any industry that will not have some bearing upon the problem of walkway surfaces, so we urge very strongly your utmost cooperation in securing this fundamental information.

[Meeting adjourned.]

TUESDAY, MAY 20—AFTERNOON SESSION

E. LEROY SWEETSER, COMMISSIONER MASSACHUSETTS DEPARTMENT OF LABOR, PRESIDING

The session was opened by an address on "Workmen's compensation laws and their relation to accident prevention," by T. J. Duffy, chairman of the Ohio Industrial Commission.

WORKMEN'S COMPENSATION LAWS AND THEIR RELATION TO ACCIDENT PREVENTION

BY T. J. DUFFY, CHAIRMAN OHIO INDUSTRIAL COMMISSION

Man can not find a nobler purpose upon which to expend his thought and his energy than that which has for its object the conservation of the health, limb, and life of human beings. We advocate and urge the conservation of natural resources, such as minerals, timber, fuel, water power, etc., because our success or failure to conserve these things affects the welfare of human beings in such a way as to increase or diminish their comfort and happiness.

In the interest of human welfare it is important to conserve our natural resources, but it is more important to conserve health, limb, and life, because no matter what progress we make in the conservation and the efficiency of the things that administer to the needs of man, the individuals who have lost health can not enjoy the fruits of such progress, and to the man who loses his life in an industrial accident it means nothing.

By avoiding accidents we not only save life and limb, but we save labor power, which is not only a natural resource in itself but is also a vital element in most of the other agencies of conservation. We also conserve the happiness of the home, because nothing can be more detrimental to domestic peace and happiness than an injured worker whose helpless condition requires the constant care and attention of the family for a period of years, or whose death fills their hearts with grief. Compensation is a blessing and a great help to the victims of industrial accidents, but it does not replace amputated limbs, restore human lives, or give back to widows and children their loved ones.

By avoiding accidents we also contribute to the conservation of the peace and stability of society by lessening the causes of discontent. In these days of big business it is almost impossible for the average man to engage in a business of his own, and he must, therefore, depend for his means of livelihood upon those who control the avenues of employment. If, in pursuing the only opportunity he has to acquire subsistence for himself and family, man is needlessly exposed to loss of health, limb, and life, he is going to feel that he is the unfortunate victim of conditions beyond his control, which is likely to make him bitter, fill him with hatred of those who control industry, and make him a fit subject for revolutionary propaganda.

Hence we can see that the work of preventing industrial accidents and diseases involves not only the safety of those engaged in hazardous occupations but also the comfort and happiness of the Nation's homes, the security of industry, and the peace and stability of society.

The relation of workmen's compensation laws to accident prevention is self-evident. Prior to the era of workmen's compensation laws the people at large had no conception of the large number of injuries and deaths which modern industry inflicts upon the laboring people. In the old days an injured worker would occasionally attract public attention by winning a verdict for a large amount of money; but the thousands who got nothing were never heard of, and the pain and poverty they suffered was unknown, except to intimate friends or charitable agencies.

It is true that even in those days a few employers had adopted the humane method of providing a fund to compensate injured workers and the dependents of killed workers. But the common practice of employers was to take out an employers' liability insurance policy, and then in case of injury or death leave the injured workers or the dependents of killed workers to the mercy of insurance companies, who had guaranteed in their insurance policies to take care of the legal liability of employers but had promised no benefits to the victims of industrial accidents.

In those days great indifference prevailed in regard to reporting to the proper State departments injuries and deaths caused by industrial accidents. There was no incentive to make such reports. The experience in almost all States will show that the number of industrial injuries and deaths reported during the first year under the workmen's compensation law was more than double the number reported for the preceding year. This was due to the fact that workmen's compensation laws gave an incentive to both workers and employers to report all accidents—on the one side for the purpose of getting compensation, on the other to avoid law suits which could not be brought after compensation had been paid.

It can readily be seen then, that in addition to providing compensation for the victims of industrial accidents, workmen's compensation laws concentrated attention upon the importance of the problem of industrial accidents, because when State departments published reports showing that thousands were killed and hundreds of thousands injured each year in the industries of the State, and that the compensation paid to the victims of industrial accidents amounted to 10 or 20 million dollars a year, the people realized, as they never had before, the serious, sorrowful, and costly results of industrial accidents.

This caused greater interest to be taken in the work of accident prevention and produced greater results in the invention of devices and means of safety. But past achievements in the work of accident prevention have been very meager compared with what I believe to be the reasonable possibilities along this line. It is true that in almost every State those in control of the agencies for industrial safety are seriously handicapped through lack of adequate means and the want of a sufficient number of capable safety engineers.

In the State of Ohio a constitutional amendment was adopted recently which authorizes the industrial commission to take from the State insurance fund an amount, not to exceed 1 per cent of

the premium paid into the fund each year, to expend in the work of accident prevention. This amendment can not be made operative until next year, but under its provisions the Industrial Commission of Ohio will have more than $100,000 a year to expend in the work of industrial safety. This will make it possible for Ohio to have an industrial safety department and a corps of expert safety engineers capable of doing practical and educational work along safety lines of a higher standard and to a much greater degree than has been possible heretofore. This service will not supplant the present factory inspection service but will be supplementary to it. If we had to depend upon legislative appropriations we would never be able to establish such a safety department. It is made possible only because the cost has been made available from the State insurance fund. At the present rates of compensation in Ohio, 15 death claims in which there is full dependency will amount to $100,000. So you can see that if this safety work should be the means of saving 15 lives it will reimburse the State insurance fund for the full amount expended, to say nothing of the pain, sorrow, and misery from which many individuals will be saved.

Of course, in order to have industrial safety we must have something more than mere mechanical safeguards; we must have workers with sound bodies, clear brains, and good and wholesome habits of life, and we must have employers who thoroughly understand and fully appreciate the humanitarian and the economical aspect of industrial safety. It is important that machinery be safeguarded and that all the unnecessary hazards be removed from the workshop, mill, or mine. But it is far more important that the workers themselves shall acquire the habit of taking no unnecessary chances. The human element is the biggest factor and the most important factor in the work of accident prevention. I want to cite a few examples to support this statement:

In Ohio a 16-year-old high-school boy was working in a bake shop during the vacation period. One day the electric dough-mixing machine became conjested, and the mixing knives ceased to operate. Instead of shutting off the electric power before attempting to relieve the conjestion, that 16-year-old boy thought he would take a chance. He attempted to remove some of the dough. Suddenly the mixing knives began to revolve and in an instant's time he had lost both his hands, and he is now in the unfortunate position of fighting the battle of life without the pair of hands which the Almighty Himself had thought were essential to his welfare. Two grown-up men did the same thing that this boy did with the same result.

In a mine down in southern Ohio a miner was in his room digging coal. The mine inspector came in and called his attention to the fact that much of the roof under which he was working was hanging loose. The inspector instructed him to prop up that roof before digging any more coal. The miner laughed at the inspector's warning and paid no attention to it. An hour later they found his lifeless body between the tons of material that had fallen from the roof.

A workman who was operating a machine upon which a safeguard was employed ceased work when the safeguard broke and reported the matter to the superintendent. The superintendent persuaded the man to operate the machine without a safeguard because the

work he was doing was a rush order. To accommodate the superintendent the workman continued at his post without the safeguard. Before the day was over he lost his arm.

This high-school boy, this miner, and this superintendent furnish examples of the folly of taking unnecessary chances. Men perform dangerous operations and subject themselves to unnecessary hazards and escape without injury perhaps nine thousand nine hundred and ninety-nine times, but they forget that it takes only one accident to put out an eye, amputate a limb, or crush out a human life; and the object of all safety measures is to protect the worker in that ten thousandth time when indifference, fatigue, or recklessness may cause the worker to make a move that will result in serious injury and perhaps death.

[John B. Andrews, secretary of the American Association for Labor Legislation, then addressed the convention on "Occupational disease compensation," as follows:]

OCCUPATIONAL-DISEASE COMPENSATION

BY JOHN B. ANDREWS, SECRETARY AMERICAN ASSOCIATION FOR LABOR LEGISLATION

With the coming of workmen's compensation it was recognized that disabilities due to occupational disease should be compensated as well as accidental injuries.

Sickness alone among industrial workers in the United States causes a money loss each year of nearly three-quarters of a billion dollars, not to mention the waste of human well-being and efficiency. Careful American authorities have estimated that one-fourth of this annual economic loss, or about $200,000,000, can be prevented.

The most effective aid to prevention of industrial sickness in the absence of workmen's health insurance laws, lies in the inclusion of occupational diseases, along with work accidents, in our workmen's compensation laws.

It is everywhere accepted that accident compensation laws have given a new and effective stimulus to accident prevention. But without adequate occupational disease compensation our State safety and health inspectors are deprived of their greatest aid in promoting industrial hygiene in the factories, mines, and workshops of America.

Among the more familiar occupational diseases which should be covered everywhere by compensation laws are compressed air workers' "bends," hatters' "shakes," painters' lead colic and "wrist drop," and miners' asthma. But practically every occupation has its own peculiar malady. There is, too, under modern processes, a constantly growing list of industrial poisons.

FIRST PLAN

In the United States, Massachusetts—one of the first States to adopt the compensation principle—provided from the beginning for compensation of "personal injuries." The word "accidental" was carefully avoided and the highest State court interpreted "personal injuries" to cover occupational disease as well as accidental injuries.

California, after two years, amended her compensation law to strike out the word "accident" and redefine "injury" and has thus included occupational diseases. Seven States[1]—and the Federal Government in its law for civilian employees—have followed this course. This system brings to the attention of the compensation commissioners many cases of occupational disability that could not be compensated as accidental injury; it uncovers a constantly increasing number of disease danger points in modern industry, and it leads to industrial inspections and orders to make these dangerous work places safe.

Because the coverage of this form of law is broad, cases due to new industrial processes can be met promptly; the victims can be compensated, and all the preventive value of workmen's compensation can be brought to bear immediately to assist the industrial inspectors in their safety work.

SECOND PLAN

But even the broadest form of occupational disease compensation coverage fails to reach a large portion of illness, due in whole or in part to industrial life. Shortly before the World War public sentiment began to favor a comprehensive plan of workmen's health insurance. To check this sentiment the opposition raised the cry of "Made in Germany," since in that country health insurance was first put into effect nearly 40 years ago and later adopted in other leading industrial countries.

But sentiment favorable to health insurance was so strong—despite the distractions of war—that its opponents realized they could not merely oppose health insurance, they must have some positive issue that would appear to place them in favor of the general purpose of protecting the health of wage earners. Immediately the special interests that had formerly opposed occupational-disease compensation became its enthusiastic advocates, but in a form which would greatly limit its benefits.

In New York, where a health insurance bill had passed the senate, these opponents rushed foward with an occupational disease compensation bill containing a limited list of such disabilities, only two of which occur at all commonly in New York State. In reply to a protest that this was likely to mislead the public they declared their measure was "adequate." The secretary of the associated manufacturers in New York even wrote to his membership that it would probably be necessary on account of the "most important change" to create a special bureau in the department of labor to provide for the occupational-disease compensation. In actual experience the results have been so meager that the New York Department of Labor keeps no separate record of occupational-disease compensation cases and can furnish no official information. It is rumored, however, that not over a dozen occupational-disease awards were made under this amendment during an entire year, although over 50,000 accidental injuries were compensated.

[1] California, Connecticut, Hawaii, Massachusetts, North Dakota, Porto Rico, and Wisconsin.

This year—after three years' experience under the amendment—a well-known insurance statistician appeared at public hearings at Albany earnestly but unsuccessfully pleading for the inclusion of one additional occupational disease in which he personally was especially interested. A prominent woman specialist in industrial medicine came from Boston pointing out that although the derivatives of benzol were compensable under the New York law disabilities due to benzol itself, for some strange reason, were not. But the legislature failed to make any of the suggested improvements in the occupational-disease list.

This is serious enough in New York. But it has not ended there. Four other States[2] copied the discredited New York opposition plan. These States were probably misled into thinking they were adopting real occupational-disease compensation laws.

RESULTS OF OCCUPATIONAL-DISEASE COMPENSATION

Recently the American Association for Labor Legislation has made an inquiry concerning the actual results of occupational-disease compensation in America. It found, in brief, that there are now five laws of the narrow misleading New York type, and eight laws following the broader Massachusetts plan.

While statistical information of occupational-disease compensation—outside of Wisconsin and two or three other States—is still in a deplorably bad condition, making accurate comparisons impossible, nevertheless, in general, it may be said that the results obtained under the broader type laws (following Massachusetts) are far superior to those under the restricted-list type as "put over" in New York.

One possible exception which may be mentioned is in Ohio where there are extensive lead manufactories, where dermatitis is included, and where, too, the administration of workmen's compensation is through an exclusive State fund with more liberal interpretation in the absence of constant appeals on technicalities by insurance carriers.

It is evident also from the scattering data available that diseases reported and compensated under even the most liberal occupational-disease amendments have increased to only a very slight degree the total compensation experience, whether measured by the total time lost, the number of cases, or the cost.

Considering, first, laws of the general type, we find that in California in the calendar year 1921 the disease cases represented but 0.92 per cent of the total number of reported injuries, (576 out of 62,273); that the time loss due to diseases measured in days represented 0.2 per cent of the total time loss in all cases (13,699 days out of a total of 6,829,294); and that compensation paid in occupational-disease cases was but 0.38 per cent of the total payment in compensation cases ($22,920 out of $5,924,582). In Massachusetts, for the year ending June 30, 1921, occupational-disease cases represented 1.1 per cent of all reported cases (583[3] out of 53,313), and their time loss amounted also to 1.1 per cent of the total compensa-

[2] Illinois, Minnesota, New Jersey, Ohio. The Illinois law applies only to those poisons covered in the "lead law."

[3] This figure includes injuries due to poisonous and corrosive substances and occupational disease. The actual disease cases numbered only 564 but corresponding time-loss figures are not available.

tion-time loss (46,419 days out of 4,103,378). No cost figures are available for this State. In Wisconsin during 1921 the disease cases compensated, 235 in number, were 1.5 per cent of all compensated cases (15,898), the time lost (42,105 days) was 1.7 per cent of the total time loss (2,518,539 days), and the occupational-disease compensation, including medical care, was 1.4 per cent of the total cost ($41,664 out of $2,918,817). In 1922 the Wisconsin disease cases compensated were 1.6 per cent of the total compensated cases (281 cases out of 16,705), 1.9 per cent of the time loss (52,062 days out of 2,642,442), and 1.9 per cent of the cost ($63,043 out of $3,156,958); and in 1923 occupational disease comprised 1.6 per cent of the compensated cases (338 out of 20,941), 2 per cent of the time loss (58,558 days out of 2,842,765) and 1.9 per cent of the cost ($73,734 out of $3,719,030). The United States Employees Compensation Commission, in its 1923 report, estimated that from September, 1916, to the end of 1922 its occupational-disease cases represented about 1.5 per cent of the total number of compensated cases, and that their cost did not exceed 3 per cent of the total benefits paid. Similarly the late Carl Hookstadt, in a study[4] of occupational-disease compensation based on earlier experience in California, Massachusetts, and the Federal law, found that in 1919 occupational diseases represented 1.5 per cent of the cases compensated and 1.6 per cent of time loss due to temporary disability under the Federal law, 0.8 per cent of the cases under the California law for the same year, and 2.9 per cent of fatal cases but only 1.3 per cent of nonfatal cases under the Massachusetts law during the period 1915–16 to 1918–19. In 1918–19 for this State the disease cases equalled 0.8 per cent of all injuries and accounted for 0.8 per cent of the time loss in temporary cases.

Even less complete data are available for limited schedule laws, but, as one would expect, the disease cases generally represent a still smaller percentage of the experience here. In Minnesota, for the year ending June 30, 1922—the first full year of occupational disease coverage—occupational disease awards numbered 5, or 0.05 per cent of all awards, and cost $2,818, or 0.2 per cent of the total compensation payments. For the year previous, when the disease coverage was effective for only about one month, there was but one occupational disease award, a fatal case, representing 0.3 per cent of the total workmen's compensation cost. No time-loss figures are available here. If one included cases due to poisonous and corrosive substances with those due to disease, as is usual in statistics of the general laws, the figures would be higher, There were some 119 cases in this broader classification in Minnesota in 1921 and 128 in 1922. Comparable cost figures are not, however, given for this classification. For Ohio we have neither cost nor time-loss figures. For the year ending June 30, 1923, there were 814 occupational disease claims in this State out of a total of 175,636 claims filed, or 0.5 per cent. For the entire period of the law's operation (August 1, 1921, to June 30, 1923) the percentage is even lower, 0.08. This difference is probably explained, however, by the well-known rule that the first year of any compensation law shows low experience because not all workers have become familiar with their rights. Although no detailed figures are available on the relative cost of occupational disease

[4] See Monthly Labor Review February, 1921, pp. 154–159.

compensation in Ohio it is interesting to note that the commission reported in June, 1923, that a flat tax on all industries of 2½ per cent per $100 pay roll had netted some $480,000 for the occupational disease fund, of which only $44,000, less than 10 per cent of the sum collected, had been spent to date.

New York figures are extremely meager. We know that in the year ending June 30, 1921, there were 66 hearings in occupational disease cases out of a total of 140,278 hearings. Assuming that the proportions are the same in hearings and cases, disease cases represented about 0.05 per cent of the total. It is unofficially reported that there were about 12 awards in occupational disease cases in this year out of a total of something over 50,000 compensation awards. The per cent of award is therefore perhaps 0.02 to 0.03, though the accuracy of this estimate is doubtful. No time-loss or cost figures could be obtained in New York.

No occupational disease figures are obtainable for Connecticut, Illinois, New Jersey, or Porto Rico, although letters from Connecticut indicate that probably only a few dozen cases are compensated yearly. In Hawaii only three awards with a total time loss of 26 weeks, have been made in the history of the act.

Occupational disease, then, accounts for an almost negligible part of all compensation experience. An interesting confirmation of this conclusion is found in the fact that the actuarial committee of the National Council on Workmen's Compensation Insurance in 1920 recommended that no special factor be allowed in compensation insurance rates to cover the cost of occupational disease inclusion.[5] Previous to that insurance companies had been allowing 2 per cent loading for occupational disease coverage.

Space does not permit inclusion of further details. In a final evaluation of facts revealed by this inquiry, however, certain conclusions stand out plainly:

(1) From the viewpoint of compensation, of safety inspection, and of prevention, the general or inclusive type of law which covers all "personal injuries" is preferable to the narrow specific-list law.

(2) Someone, by making exaggerated claims for occupational disease compensation as a so-called substitute for health insurance, has misled the public—and especially employers and trade unionists—into believing its benefits are much greater and vastly more expensive than they really are. Actually the increased compensation under the most liberal laws does not amount to more than 2 to 3 per cent.

(3) Occupational disease compensation, on the broadest possible plan, should be encouraged in every State, and it may be made of very considerable help to factory inspectors who are charged with the important public duty of making sure that the work places are made safe.

(4) Great improvement is needed in record keeping, in order that the full preventive value of occupational disease compensation may be capitalized.

[5] See Proceedings of Casualty Actuarial and Statistical Society of America, 1919, 1920, Vol. VI, Part II, p. 280, quoted by Mr. Hookstadt, in Monthly Labor Review, February, 1921, p. 155.

DISCUSSION

A DELEGATE. How many cases were there in New York during the same period represented by these Wisconsin cases?

Mr. ANDREWS. There is no information as to New York. They stopped keeping records as soon as they knew they were being duped on the subject of their law. Unofficial reports say that only 12 cases were actually compensated.

Mr. WILCOX. There should be constant care that compensation benefits keep pace measurably with growth and with the increased cost of living. Build more and more to the end, as declared by the courts, that industry should bear the burden of industrial accidents. We are given to rating benefits under compensation according to what benefits were at common law prior to the adoption of the compensation laws. Compensation then was never above $1,800. Recently $112,000 was recovered by a woman under the common law. Industry ought to bear in mind that compensation benefits should keep pace with that liability which they are escaping. They should be measured by to-day's damages under the common law. There are many so-called compensation laws in this country which are a disgrace. They ought not be on the statute books because they are of no benefit to the workers. The benefits are too low. Only 13 States pay compensation for disease.

States should pay compensation for all diseases. Some think there is danger in covering all diseases, but it is just as easy to handle that feature of the law as any other. As soon as you write into the law a provision covering diseases, just so soon will the employers see to it that their employees do not contract those diseases. In Wisconsin employers are watching diseases with the same great care they do any other safety work. Under this law medical-aid benefits run a little higher; indemnity benefits run lower. Even under the old laws, some diseases are compensated under accident provisions, as they occur suddenly, e. g., anthrax, carbon-monoxide poisoning, etc.

These schedules keep out particular cases; for example, they always omit tuberculosis. There should be complete coverage if the disease is caused by the injury.

Mr. ROACH. Have you proved cases where industry has caused tuberculosis?

Mr. WILCOX. Yes. For example, in Milwaukee, in one company there were 7 cases, 5 of which were fatal. The medical proofs showed conclusively that tuberculosis was contracted by reason of sand-blasting operations, being caused by the inhalation of metal dust.

Mr. ROACH. Is the germ in the mineral?

Mr. WILCOX. No. The disease is caused by irritation. Just as a fracture can set up tuberculosis because of the blow, so injured surfaces, in this case irritated by the abrasion of the metal dust, are open to infection.

Mr. ROACH. Are there other diseases similarly compensable?

Mr. WILCOX. Yes. Typhoid is compensated under the industrial accident provision.

Mr. ROACH. What was the cause of such typhoid?

Mr. WILCOX. I heard of several cases in one year in one company. The pipes of the city drinking-water system and of its own pumping system were brought together and separated by valves. The pressure on the city-system side was higher and the valve set back against the city-system side. The water crowded through to the other side, from the public to the private system side. In July during a drought the pressure on the city-system side was low, and water was pumped out of a flume right below the toilets where refuse was. Fifteen or 20 men came down with typhoid fever. Compensation as for occupational accidents was given. Why would the law be more valuable if it covered this in a general way? Compensation is for personal injury. What is the advantage of the other measure?

Mr. ROACH. We do not include tuberculosis.

Mr. WILCOX. They do not want to cover it.

Mr. ROACH. What other diseases have you noticed?

Mr. WILCOX. Broad general coverage is better. Modern industry is not static. We are creating new industrial poisons all the time. One of the disadvantages of the schedule method is that very thing. The New York schedule includes the derivatives from benzol. Why cover derivatives merely and not benzol itself? Mr. Hoffman was anxious to have one more occupational disease, one in which he had a particular interest included. A general principle is better, in that it brings certain sore spots to the attention of inspectors and employers, who will then take care immediately for the relief of the victim.

Mr. ROACH. What are some of the new ones?

Mr. WILCOX. There is no good reason for making a schedule if you mean to take care of all. By a schedule we compensate some and some fall by the wayside. There is no stopping to work out the details of the law as to whether the particular disease is covered; if it grew out of industry it is covered.

I hope that you will never allow your State to write into its law such a schedule. We lose ground by taking part of the loaf. If necessary, wait a year and get the whole.

Mr. HALL. "Personal injury" might be interpreted as not including occupational disease.

Mr. WILCOX. The word "injury" is sufficient to take care of it. We took care of occupational disease under our old law under the term "injury."

Mr. HALL. Other States might not be so liberal.

Mr. ANDREWS. There might be danger in the use of the word "injury" unless the courts had made decisions thereon.

[The next subject on the program was "The industrial relations act of Colorado," a paper on which subject was read by W. I. Reilly, chairman of the Industrial Commission of Colorado, as follows:]

INDUSTRIAL RELATIONS ACT OF COLORADO

BY W. I. REILLY, CHAIRMAN COLORADO INDUSTRIAL COMMISSION

Labor troubles commenced when Eve set Adam to work in procuring the prime necessities and first luxuries of married life. Labor troubles will continue as long as man exists, inasmuch as labor is and will be necessary to his existence.

Society feels that because of its present complex aspect, the relations between employer and employee as now existing are entirely new, and that with very little thought a drastic remedy can be devised for their solution. Such is not the case.

Under the present highly developed specialized system of manufacture and distribution, and the dependence of the individual for his common necessities upon the effort of persons far removed, a cessation of work in any one line is an interference with the entire industrial and commercial fabric.

Prior to the present industrial system, a very few industries were "affected with a public interest." It was early recognized by both the legislatures and the courts that the means of transportation by common carriers were so affected. Recently there has been a decision by at least one supreme court extending this rule to the coal-mining industry. It has also been decided that the question as to whether or not an industry is affected with a public interest is not a legislative but a judicial question, and that the courts will not be bound by a declaration of the legislature upon such question.

The killing of a beef and the distribution of its meat to the neighbors is not an industry affected with a public interest. A few years ago each butcher shop in the town had its own slaughterhouse where animals were gathered, slaughtered, and prepared for market each day for the following day's consumption. To-day the community is indeed small and rather removed from the great arteries of trade where such a condition exists. The local slaughterhouse has been eliminated. The butcher shop, however, remains and depends upon the great packing houses for everything in the meat line sold over its counters.

The cessation of work by all the employees in any one slaughterhouse, or in a number of slaughterhouses, would not have detrimentally affected the public, but a cessation of work in one or two packing houses would be immediately noticed by a scarcity of supplies or a prohibitive price. The tying up of all the packing houses of this country would instantly deprive the people of their principal article of food, and one feels that the courts are not keeping abreast of our civilization when they declare in their solemn decision that the packing industry is not affected with a public interest.

The strides made in the meat industry within the last few years are but typical of the development of practically all industries which manufacture and prepare the other necessities of life, and the general tendency of industry to-day is toward concentration and specialization. As the industry of the employer expanded and the number of his employees increased, the individual employee necessarily lost the benefit of the personal contact, acquaintance, and friendship of his employer, and in order to bring before his employer the needs of the employee and the conditions under which he lived and worked, the necessity for organization on the part of employees became imperative. As the dealings of the employer with his employee were through manager, superintendent, or agent, it also became necessary that the employees present their problems to the employer through a representative.

The employer enjoyed the profits of organization—the employees learned its power. When the interest of the employer and employee conflicted, a strike ensued. The strike has taught the employer the

power of labor—that no labor meant no product, no profit. The public has learned that it is the real party in interest in all disputes between employer and employee—that it suffers all the hardships and pays all the bills—but has failed to appoint an authorized representative, a representative of public needs, of public opinion.

Colorado is a comparatively new State. Its industrial history is short. Even during this short history there have been four or five industrial wars within its boundaries that, because of their bitterness and far-reaching effects, loss of property and of life, have brought to the attention of the entire Nation a realization of the fact that the underlying causes run deep into the foundations of civilization itself.

Colorado stood horrified in 1914 when the lives of innocent women and children were snuffed out in the conflict. Even if they were not intentionally killed, this relieves but little the horror of the situation. When the legislature convened in 1915 there was a determined effort on the part of the public to supply an authorized agent to represent definitely the public's interest in industrial disputes—an agency that would use its good offices in attempting to prevent the recurrence of another horrible industrial struggle such as had just ended. The result was the passage of the industrial relations act of Colorado. I will not attempt to give you the full details of this act, nor all of the power conferred by it upon the industrial commission, but will mention only those sections that relate particularly to strikes and lockouts.

The Colorado law created a commission composed of three members, known as the Industrial Commission of Colorado. This law gives the commission jurisdiction over every dispute between employer and employee regarding wages, hours, or working conditions, prohibits a lockout by the employer or a strike by the employee pending an investigation of such dispute by the industrial commission, and requires either party desiring a change in working conditions to give to the other and to the industrial commission 30 days' prior notice of its demands. The commission's award is not binding upon either party unless both parties, prior to the rendition of the awards, agree to be bound thereby.

One section of the act provides that a mandatory writ shall be issued, upon the application of the commission, by any district court of any county in which the place of employment, or part thereof, is situated, ordering either or both parties to the dispute to continue the conditions in statu quo until the entry of the award by the commission.

The general terms of the act give the commision full power to subpœna witnesses, to require the production of books and papers by either party, and to hold hearings either by the commission or by a board appointed by the commission.

The scope of the act covers the general relationship between employers and employees, and specifically directs the commission to do all in its power to promote the voluntary arbitration, mediation, and conciliation of disputes between employer and employee, to avoid strikes, lockouts, boycotts, black lists, discriminations, and legal proceedings in matters of employment.

The law does not take into consideration the question as to whether the employees affected are union or nonunion—the commission has recognized the officers of the union as representatives of the

union employees, the representatives of the employees organized under any system or plan, and also the representatives of nonunion and of unorganized employees.

The primary object of the law is conciliation. No question arises prior to a strike that is not capable of some just and equitable solution. After a strike has occurred, many entangling complications arise and a settlement becomes more difficult each day.

In many of the controversies handled by the commission there is a contract between the employer and his employees, or between the employer and a union, fixing the wages, hours, and conditions of employment, which contract terminates at a definite time. Frequently the contract termination date arrives before an agreement is reached, and the disposition of one side or the other is to make the changes demanded. The parties are unable to make some definite arrangement pending further negotiations. Trouble starts. Under the Colorado law all previous conditions automatically continue, pending action of the commission. This prevents the injection of new and irrelative difficulties before the complete analysis of the real problems involved.

At the inception of a difficulty the commission uses every effort to inform itself of all the questions involved, and attempts to obtain conferences between the employer and employees, with a view to a settlement by mutual agreement. If such efforts fail, the controversy is set for hearing, in which at least two, and in the great majority of the cases all three members of the commission participate. There are no formalities at these hearings; in fact, it is seldom that the commission proceeds twice in the same manner. Each controversy, because of the questions involved or the personality of the contestants, requires a change in tactics. In the great majority of cases the employers and employees appear in person, without attorneys, and present their facts.

During a hearing the commission often gets a suggestion or a line on a settlement from the statements of parties or the testimony of witnesses; a recess is taken, and the commission requests the parties to confer along the suggested lines, and through such efforts an agreement is reached voluntarily by the parties.

In the hearings, the commission is exceedingly liberal in the latitude given witnesses, in fact, it often seems that it is a safety valve to one officially to unburden himself of the tremendous weight of some insignificant chip he has been carrying on his shoulders. One of the effects of a hearing is that personal grievances or grudges that have arisen during the employment, that seem to the particular personality of the individual so large as to be unsurmountable, dwindle into insignificance when he tries to impress the magnitude of them upon a disinterested conciliator. Often employers and employees become disgusted with some of the positions they have taken when scrapping among themselves, and, out of shame, drop their grudges; as a reaction, their more generous impulses assist in an ultimate conciliation.

One of the employees at a certain hearing was particularly radical. The only idea he had was "strike," and in every sentence and statement he mentioned strike and its effect and benefits. He seemed to be attempting to stir up enthusiasm for a strike. His attitude finally became obnoxious, and someone bluntly knocked the chip from his

shoulder by the terse remark: "Don't you know it doesn't take brains to strike? It takes brains to get a good job and to keep it. Any fool can quit work. The careful thought of every employee is needed to prevent a strike." This quieted the obstreperous individual. In a very short time the commission took a recess, asked the parties to confer, and an agreement was reached.

On another occasion six men with set faces walked into the offices of the commission, separating into two groups of three. It was impossible to determine which were employees and which employers, but upon inquiry we found that a demand had been made by the employees for an increase in wages, and while having a conference with their employers which resulted in a deadlock, some one suggested that they come to the commission with the matter. They wished to obey the law, but each was determined to fight the other to a finish

After a short talk, the two sides were separated and conferences held by the commission, first with one side and then with the other. Neither side was at a loss for words to describe the particular traits of the other, and the language used could not be found in any Sunday School lesson we reviewed. The employers said that the employees had made up their minds what the employers were going to pay them, and that settled the matter except that the employers were not going to pay it. The employees knew that their hard-hearted employers would give them no advance at all—and they were going to strike.

We found the employers willing to give the employees as much as the employees actually expected. We sparred back and forth between them until both sides were definitely pledged as to what they would do. We then brought them together and announced that the matter was settled. Both sides were astonished. They shook hands with each other, almost hugged each other, and wondered why they had come up to the commission to settle something they should have settled between themselves. They signed an agreement, each entirely pleased with the other, and, possibly, disgusted with the commission.

The industrial law became effective August 1, 1915, and up to and including April 15, 1924, there had been 1,124 cases filed with the commission; 73 strikes resulted—approximately 6½ per cent.

Disputes of a national character, such as the bituminous coal strikes, cause the greatest difficulties. The bitterest industrial strikes in the State, before the enactment of this law, affected the mining industry. The law has been tested since its enactment by two great national coal strikes—the strike of 1919 and the strike of 1921. Both of these strikes are such recent history that it is not necessary to repeat the details of either of them. You will probably be surprised to learn that Colorado was the only State in the Union that produced practically a normal output from its mines during both controversies, and this was accomplished without the loss of life and without bloodshed.

A great fight was made before the legislature in 1917 by some of the labor leaders of the State, demanding the repeal of what is termed "the 30-day clause" in the industrial law, the position taken by a number of the labor leaders being that to suspend the right to strike for 30 days was enslaving the workers of this State; that the 30-day

clause was "involuntary servitude"; that during 30 days the men were slaves under the State law, without conviction for crime and contrary to the provisions of the constitution. It might be said that the commission, in its years of experience and in the examination of the constitution and by-laws of practically every international union in the country, has found but one union that did not provide in its by-laws or constitution for a notice from 30 to 90 days before the change of any conditions.

In all my experience with labor I can not recall a case where employees as a body demanded an increase in wages that such change was not under consideration in some form by the employees for more than 30 days.

I can recall a number of cases where the employer posted notice that a reduction was then effective. I do not know how long the employer had such change under consideration. The 30-day clause undoubtedly affects the employer more than the employees. It really is a decided protection to the employee—not a disadvantage.

I have carried a union card all my working life since apprenticeship, being a member of the International Typographical Union, and it is my intention to continue carrying this card as long as I live. It is my honest opinion that the 30-day notice required by the industrial law is one of the greatest protections to organized labor passed by any legislature. I am familiar with the psychology of the labor union, from the inside as well as outside of the union hall. I think the following simple illustration will be sufficient for the point: The employees appear for work and find posted a notice of a 20 per cent reduction in wages, effective on that date. They have no opportunity to discuss the situation, to form plans, or to ascertain the wish of the majority. A decision must be made. Some insist that they continue work until a meeting of the union can be had, others quit. They are divided into factions. The union finally meets. Wise deliberation is impossible. Bitter feelings develop toward each other. The union is weakened, perhaps ruined.

Under the Colorado law this condition can not happen. Any employee can notify the industrial commission, and the employer is immediately required to reinstate and continue former conditions until the legal notice has been given. The above illustration is particularly applicable to the weaker unions.

The working people are becoming more and more familiar with this law, and when some grievance occurs, instead of quitting work, they simply notify the commission. The commission tells the employees to stay on the job and also immediately takes the matter up with the management and explains the law, and almost without exception the law has been obeyed. When an employer refuses to obey, the matter is submitted to the attorney general for prosecution.

One employer notified the commission that an agreement had been made with the representatives of its employees for a reduction in wages. A number of employees protested to the commission. A hearing was commenced to ascertain whether or not an agreement had been made. A large number of employees refused to accept the reduction. A real controversy existed. The employer attempted to operate under the reduction. The commission immediately ordered the employer to restore conditions and ordered the employees to resume work pending the hearing. The employees immediately

consented. The employer asked the commission as to its intentions regarding the enforcement of the order and was informed that the commission intended to discontinue the hearing and apply to the courts for a mandatory writ to compel the reinstatement of conditions. The employer at once accepted and obeyed the order. The commission resumed its hearing. The number of employees affected by this order ran into the thousands and the wages involved, pending the hearing, amounted to hundreds of thousands of dollars.

The Colorado law is not a compulsory arbitration law—it is a compulsory investigation law. It is my opinion that compulsory arbitration is absolutely impractical. It does not—and it can not—fit into our social system nor our present theory of Government. Compulsory arbitration would be to wages what Government price fixing would be to commodities. When Government price fixing has been made successful by law and has absolutely supplanted the industrial law of supply and demand, then only should compulsory arbitration be timidly attempted. Price fixing deals with commodities, which are property rights; compulsory arbitration would be dealing with human rights. Human rights are higher than property rights. Strange to say, enthusiastic dreamers have attempted to try their theories on the most sacred rights before demonstrating their practical adaptation to those of less importance.

The Colorado law, of course, like all laws, is not perfect. It does, however, contain some practical features that are of great assistance in maintaining industrial peace. It was the outgrowth of a demand from both labor and capital for some assistance in their problems. Every regulatory law curtails some previous liberty; both employer and employee immediately found that it interfered with their individual determination to do as they pleased—at least, it delayed the "do," and often eliminated the "unreasonable" from their determination.

The law gives to the employees something they have never had before and which can be used to their great advantage. It gives labor official recognition, through which it can present to the public its minutest grievance and whereby it can demand an immediate public investigation of the conditions of employment and the adequacy of the wages received.

Arbitrary employers who have refused their employees the privilege of conference and who have refused to discuss their mutual problems are, by virtue of a compulsory investigation, forced to meet their employees, to hear their grievances, and to give the employees a statement of the employer's problems and of the conditions of the industry. The advantage of this one feature of the law for practical good is a complete answer to any disadvantages from a temporary delay to open hostilities.

The aim of every court is justice. The aim of any commission will be fairness. The commission has no power of its own to enforce its awards. The only power back of the awards of the commission is public opinion. Public opinion is the final jury that settles industrial disputes. An impartial investigation, a just award, alone can win its verdict.

[Meeting adjourned.]

WEDNESDAY, MAY 21—MORNING SESSION

D. L. McLEAN, DEPUTY MINISTER OF PUBLIC WORKS OF MANITOBA, PRESIDING

The first subject on the program was "Statistics as related to law enforcement," on which Royal Meeker, secretary of the Department of Labor and Industry of Pennsylvania, addressed the convention.

STATISTICS AS RELATED TO LAW ENFORCEMENT

BY ROYAL MEEKER, SECRETARY PENNSYLVANIA DEPARTMENT OF LABOR AND INDUSTRY

Labor administrators need a much simpler kind of statistics than those dealt with in the higher mathematical statistical analyses of our colleges and universities. I do not think we need to go very much into integral or differential calculus in the statistical compilations needed for our guidance in enforcing labor laws that come under our jurisdiction.

What kind of statistics must a labor administrator have at his disposal for his guidance? As I see my job, and I think my job is nearly identical with the jobs of many if not most of us, it is concerned first and primarily with industrial relations, the relations between employers and employees. We need to know what is implied in the relation of employer and employee; first, whether there is any relation at all—whether there is or is not a job; and then the conditions of employment—wages, hours of labor, health and safety conditions and the comfort and welfare of the employee in his job. That, I take it, gives in brief the whole round of the circle. First of all comes the job; that means statistics of employment and unemployment. We have, I think, fairly satisfactory statistics on employment, statistics which were compiled in the first instance by the State of New York, and later by the United States Bureau of Labor Statistics, which has greatly expanded them. Other States have been induced to cooperate with the United States Bureau of Labor Statistics in the gathering and compiling of such statistics, until there is now a goodly number of States collecting satisfactory employment statistics.

Some of our bolder American statisticians assert that they can convert an employment curve into an unemployment curve by turning it upside down, but I am not quite convinced that that can be done. I have listened to what these statisticians have to say, and to the charts they have shown, and I will admit that the charts shown indicate that an unemployment curve corresponds very closely indeed with an employment curve turned upside down, but I am not sure that this would work in every instance, in season and out of season, in good times and in bad times.

We all know that we have no unemployment statistics in the United States that are worthy of the name, there have been certain unemployment surveys made by the United States Bureau of Labor Statistics which have given a fairly accurate picture of unemployment

conditions at the time the survey was made, but unemployment surveys are not desiderata. They do not supply the information needed by a labor administrator. What the labor administrator needs is a picture of the labor market, of unemployment conditions, month by month, if possible week by week, especially in times of great fluctuations in employment.

I am not fully convinced, that we can secure satisfactory typical unemployment statistics through our public employment agencies at the present time. The statistics that are compiled and published as to the operations of our employment offices do not give us anything like unemployment statistics. The methods used and the degree of accuracy vary so from State to State, from locality to locality, that it is wholly impossible to attempt comparison. The best use that can be made of these so-called statistics, in Pennsylvania at least, is in comparing the work of a particular office in the past and at present. To compare the work of one office with that of another office, is wholly impossible in the present state of imperfection of these statistics.

We need to center our minds upon the problem of securing better unemployment statistics, and, frankly I despair of any satisfactory unemployment statistics without unemployment insurance. In times past I have said that it would be worth while to enact unemployment insurance legislation for the purpose of securing unemployment statistics. I have lived some years since I made that utterance. I have, I trust, kept an open mind, and I am not afraid to change my mind when new evidence, new statistical data, is presented which would indicate that my first conclusions were wrong. I have been a public servant for many years—since 1913, because my sojourn in Europe for more than two and a half years was merely a continuation of public service, the League of Nations and the International Labor Office being just as much public institutions as the Department of Labor and Industries of Pennsylvania, or the Department of Labor of Illinois, or the Department of Industrial Relations of Ohio. My service to the public has not destroyed my faith in democracy, in the principles of democracy in government, and that is the acid test of one's democracy.

It is one thing to believe in the principles of political democracy, and it is another thing to view political democracy rampant, as it were. How many of you, I wonder, have been able to pass through a session of your State legislature, viewing face to face and dealing hand to hand with this thing democracy, and come out with your faith unimpaired. I still maintain my faith in democratic institutions, but I feel that perhaps we have in the past emphasized a little too strongly a particular kind of democracy, a democracy which puts upon the government bureau the carrying out of certain functions. Things which the public can do better than private initiative can and should be done by public agencies; there is no question about that; but I am not at all convinced that a public bureau or department can carry on, say, a railroad business better than it is now being carried on by private agencies.

There are certain businesses which it has been demonstrated can be carried on much more efficiently by public than by private agencies, but I believe that we can make use of private agencies in ways that we have not as yet tried. One of these ways is that just

now being tried out in the men's clothing industry of Chicago—unemployment insurance, so called. I prefer to call it workmen's unemployment compensation. Certainly it is compensation for unemployment and you can get away with that term a good deal easier in most States than you can with "unemployment insurance." I believe that it would be better for us to encourage experimentation with unemployment benefits—workmen's unemployment compensation—in the different industries.

I am not quite convinced that we are ready for unemployment insurance or even workmen's unemployment compensation laws to be put on the statute books and enforced by the departments of labor of the different States, but I am convinced that we will never get accurate unemployment statistics until there is an incentive to report unemployment, to keep tab on unemployment, which will be provided when unemployment costs money, when it means the payment of compensation benefits. We never had any accurate accident statistics until the passage of workmen's compensation laws.

In New York State, as in Ohio, after the enactment of the compensation law the accidents reported increased nearly 100 per cent. The same thing was true in Connecticut, and that is the universal experience. Accidents were not reported until there was a very strong economic reason for reporting them. Have you thought carefully of just what unemployment means? Unemployment is the only truly industrial accident you can name. There is no physical impairment which you can not incur with a good deal more facility on the streets of Chicago than you can in a rolling mill or other manufacturing plant. You can break your leg, or fall off a step ladder and break your head in your own home; or you can break your arm cooking dinner in your own kitchen; but the only way you can have unemployment is to be out of work. That is the only truly industrial accident there is, and yet it is the one accident which is not compensated. Certainly it is the most important in its economic results, and the most disastrous in its effect, and provision should be made for its compensation either by legislative enactment—an unemployment insurance law—or by encouraging industries to put unemployment compensation into operation.

All heads of labor departments will, I think, agree that the most important subject coming under their jurisdiction is the subject of industrial relations. This term comprises much more than the negotiation of settlements of strikes and lockouts. It includes the study of the causes of all frictions and disputes between the management and the men, with the object of eliminating as far as possible these causes, establishing and maintaining mutual respect, tolerance, and cooperation. This is an ambitious undertaking and can not be carried out in a day or a year. Many men of broad understanding, from the days of Robert Owen down to the present, have labored unselfishly and with consecration to establish these better relations in industry. Unfortunately the results are not as yet amenable to statistical compilation, so we can not say whether we have made any progress. In order to discuss intelligently with employers, managers, and workers the problem of human relations in industry the labor administrator must know about conditions in industry. Here is where statistics of the right sort can be invaluable to him.

Statistics of wages and hours of labor are absolutely essential for the mediator when he deals with an employer in trying to straighten out snarls that have occurred in his establishment. Unless he knows the wages and the hours he is at a disadvantage in trying to smooth out industrial difficulties. These statistics now exist in only a few of the Commonwealths of the United States and in the compilations made by the United States Bureau of Labor Statistics. I want to urge upon all officials here present the desirability, the necessity, of cooperating in every way possible with the United States Bureau of Labor Statistics in the collection of statistics and in the improvement of those statistics, that the whole country may have the statistical data needed in the administration of our offices.

There is a great deal of difference between statistics on wage rates and statistics on earnings. Almost every day I get letters or calls from people who do not understand the difference between wage rates and rates of earnings.

The distinction is perfectly clear, although it is not always clearly differentiated in statistical publications. Each has its distinct purpose and value. The wage rate gives the market price of labor. It indicates what the employer of labor must pay, or at least the normal rate of wages which he must take into account, if he desires to employ a particular class of labor to which the rates apply. He may be obliged to pay a little above or he may be able to get his labor a little below the market price, but the market price is the normal price, the usual price that is actually paid, and that is a useful statistical quantity. Earnings are something totally different, and very frequently not only trade-unionists but employers confuse wage rates with earnings. They think that the wage rate ought to indicate whether the wage is sufficient to afford a reasonable standard of living. Of course it does nothing of the sort. That can be shown only by statistics on earnings, and they are extremely difficult to get. The only agency in the United States, so far as I am now aware, which compiles statistics of earnings is the United States Bureau of Labor Statistics. The State departments of labor have not been able to tackle that problem as yet. If we are to determine whether the wage rates do afford a reasonable standard of living, we must get statistics on earnings. That is an axiom.

As a result of my experience as United States Commissioner of Labor Statistics I had taken it for granted that hours of labor would offer no great difficulties to the labor statisticians. I was somewhat surprised, therefore, while Chief of Research in the International Labor Office, to find, when I attempted to compile a study giving the hours of labor in the different countries of the world, that the obtaining of such hours was fraught with very great difficulties and that the publication of comparisons was one of the extrahazardous industries. The Belgians accuse the French of working more than the scheduled hours, the French accuse the Germans in like manner, the Italians object, the Austrians explain, the Dutch defend, and the English express strong suspicions of the whole lot. I do not think the difficulties so manifest in Europe obtain in America.

The need for more accurate and more informing industrial accident statistics can not be too often or too emphatically emphasized. It is now some eight years since the International Association of Industrial Accident Boards and Commissions at the Columbus meet-

ing in 1915 adopted unanimously the first report of the committee on statistics and compensation insurance cost. The adoption of the report pledged every member to attempt the construction of accident rates, both frequency and severity. Each year this association has adopted the report of the committee on statistics and each year the member States and Provinces have gone cheerfully along without very seriously attempting to better their accident reporting, compilation, tabulation, and publication.

The statistics on accidents that have been compiled thus far are not very illuminating. Until Mr. Burhop compiled his work analyzing accidents very minutely by causes there was scarcely a publication in this field in the United States, barring the publications of the United States Bureau of Labor Statistics, that was worth the paper it was printed upon. Since then other States besides Wisconsin have attempted, and rather successfully, to analyze their accident statistics by causes and by industries, but not always has the goal of statistics been kept in view, not always have the statistical compilations been made with the view of giving information which would enable labor administrators or the employer making use of the report to eliminate or diminish the hazards causing those accidents.

Now, I urge you, so far as your appropriations will permit, to analyze your accidents by causes, for the purpose of making these statistics economically worth while. If we can show to our legislators that the compilation of accident statistics—and in that I want to include health statistics—does result in diminishing accidents and illnesses, does save money to the employers, does increase thereby the welfare of the worker, his comfort, his happiness, and the wealth of the community, I have the greatest confidence that we will be able to get increased appropriations for the purpose of making our statistical compilations more comprehensive and more worth while.

In Pennsylvania we have not as yet been able to compile any accident rates. However, few States have—I am not certain that any State has. Mr. Stewart can tell you a good deal better than I can about what is going on in that field.

We can do accident prevention work and industrial occupational-disease prevention work without statistics, just as you can embark upon the cigar business or the dry goods business without keeping books, but it is a mighty hazardous undertaking. Most farmers conduct their business in that manner. A farmer in Iowa bought pigs at $5 each and sold them in the fall for $20 each. He expected to get rich quick, but instead he became poorer and poorer each year. A neighbor suggested the answer, pointing out that the corn and other provender that he was feeding the pigs cost approximately $40 to $45.

Statistics is public bookkeeping, if you please public accountancy. We can prevent accidents without accident statistics, but in doing that we are fighting as one who battleth the air. We do not know what is the vital point of attack. We do not know which are the most hazardous industries, which are the most fruitful causes of accidents. If you analyze your accidents carefully by causes and by results, it will give you some guidance.

We find in Pennsylvania, and this is the universal experience in the United States and Canada, that in the past year, 1923, accidents increased in number and increased alarmingly. The increase was

very largely due to the increase in industrial activities, of course, but we do not know and can not know whether our accident records show a better or worse condition in 1923 than in 1922 because we have no accident rates, just as Ohio and Wisconsin and the rest of the States have no accident rates.

This is a matter of very great importance, indeed. It has been estimated that more than $23,000,000 has been invested in safety devices, in the safe construction of industrial plants since 1912. I do not know how nearly correct that is. I have heard that statement made, and I have also heard the question asked, incidentally, Has this money been wasted—has this investment in safety construction and safety devices brought results, or has it simply been pouring money down a rat hole? I can not give you a satisfactory answer. Of course one can tell what splendid things have been accomplished in a particular plant, as there are a great many industrial plants that keep accident statistics in a proper manner and compute accident rates, and such plants know whether they are moving forward or backward, or are just jumping up and down. As for the States in general, they do not and can not know this until they have reduced their accident statistics to rates, until they have compiled accident rates per 100,000 hours, or on some other definite basis.

The most important accident rates are accident severity rates. A great many people object to acciden severity rates, claiming that they do not tell the truth, that the important thing is the extent of the accident; that is whether the result of the accident is superficial or a total permanent disability. There is some truth in that, but do not forget that we are dealing with statistics, statistics with great numbers, and when you are dealing with great numbers it all comes out in the wash. A certain type of accidents, let us say accidents to laborers, occur by the thousands in the year. There is a sufficient number of such accidents to give a very clear index of the types of accidents that occur every year. That is true of every accident that is a statistical quantity. If we have a sufficient number, it does indicate whether that particular type of accident involves severe consequences or is of minor consequence only.

Pennsylvania is going to do its level best to compile industrial accident rates, so that we may know whether 1924 is better or worse than 1923. We are going to start by doing what we can. I believe it is much better to have a compilation of accident statistics in 100 plants in the State than to have none at all. I would rather do a partial job than to say, "Oh, well, we are not able to do the whole job, and so we won't do anything." We are going to see something accomplished on accident rates this year. While I think that frequency and severity accident rates in 1923 were better than they were in 1922, I want to know positively whether all the efforts that the State and any individual manufacturers are making as to safeguards are resulting in lessening the accident rates and not merely accident occurrences.

Furthermore, the safety standards should be revised in the light of the accident experience since these standards were adopted. Some hazards have been neglected, while others have perhaps been overstressed. We are going over the existing safety standards in Pennsylvania in the light of our accident experience, and I think as a result of our labors some interesting inferences will be drawn.

The CHAIRMAN. In opening the discussion I will call upon John Roach, deputy commissioner of the Department of Labor of New Jersey, who will speak on the "Value of accurate statistics in accident work."

VALUE OF ACCURATE STATISTICS IN ACCIDENT WORK

BY JOHN ROACH, DEPUTY COMMISSIONER NEW JERSEY DEPARTMENT OF LABOR

There is need for a more general recognition by departments of labor officials of the fact that good bookkeeping in the statistical division of industrial accident prevention work is as essential and important a feature of administration as the expert tabulation of business accounts is in a commercial house.

Industrial plant managers who attempt to plumb business activities by means of the "dead-reckoning" system so popular with a certain type of Yankee skipper in the early days of our country's history are not sought after by the directors of big business enterprises in these days of careful business administration.

Modern business requirements demand correct and accurate listing of debits and credits, for a successful industrial enterprise in our day keeps in close and immediate touch with costs of production, and the plant physician watching the rising temperature of a fever-stricken patient exercises no greater care than does the costs department in its constant and unremitting attention to the barometer that shows the dividing line between profit and loss.

In many of our States industrial-accident statistics are kept in such a loose and imperfect manner that the officials charged with the responsibility of enforcing statutory requirements whose purpose is to protect the working people in their employment are unable to determine whether they are making progress in accident prevention and health conservation work, because their records do not present conclusive proof of either a profit or a loss in the business account officially committed to them.

An important conference was held at the office of the Bureau of Labor Statistics, United States Department of Labor, Washington, D. C., in December, 1923, by representatives from several important industrial States and a number of United States Government bureaus, for the purpose of considering the reason for the large increase in industrial accident frequency reported by a number of States and to formulate standard methods for computing industrial-accident rates. The underlying purpose of this conference was, by establishing definite standardized methods for the compilation of accident statistics, to lay a substantial foundation on which might be erected an effective industrial-accident prevention system.

The reports submitted at this conference showed that the statistical methods used in tabulation in the several States were of such a variable character as to make the work of determining accident frequency exceedingly difficult, if not impossible, of accurate computation.

A determined effort was made to impress upon the delegates present the importance of establishing better bookkeeping methods, so that officials engaged in accident-prevention work would be able to make comparisons which would show them whether or not they were making progress in the work of preventing accidents in industry.

Without this kind of accident tabulation it is exceedingly difficult to determine the relative value of different classes of industrial accidents. A large group of accidents may be ascribed to a lack of safety education in the plant, while another group of accidents may have been caused by an improper selection of labor for difficult and dangerous occupations that involve varieties of "point of contact" operation accidents, while a third group may be ascribed to lack of or improper mechanical safeguarding of dangerous moving equipment in the plant.

RESTRICTION OF COMPENSATION BENEFITS TO SPECIFIED OCCUPATIONAL DISEASES

The necessity for an improvement in statistical information on industry was felt in New Jersey in May, 1923, when a commission appointed to consider the question of compensation payments to victims of occupational diseases requested the Department of Labor to furnish it with information concerning the operation of this kind of legislation in the several States where it had been enacted.

We were unable to obtain definite and officially convincing information on this subject, so that the commission, in considering the question, was obliged to refer to the records of an occupational disease reporting act that had been in operation in New Jersey for a number of years and which apparently showed that a certain group of definite occupational causes was responsible in a general way for such occupational diseases as were suffered in our industries and that should come under the beneficent provisions of the workmen's compensation act. This list of occupational diseases on which medical reports had been gathered in the State of New Jersey is as follows: Anthrax, lead poisoning, arsenic poisoning, mercury poisoning, phosphorus poisoning, benzene and its homologues and all derivatives thereof, wood-alcohol poisoning, chrome poisoning, caisson disease.

It has been stated in this convention that restrictive legislation limiting the operation of workmen's compensation payments to victims of specific occupational diseases has little, if any, practical value and that it would be better for States contemplating occupational-disease legislation to refrain until legislators are willing to enact a measure broad and generous enough in its provisions to embrace every "personal injury" growing out of and suffered during the course of the employment.

While I am willing to concede that this broader type of legislation has certain definite advantages by requiring the payment of workmen's compensation to victims of personal injuries that are excluded under the New Jersey act, I am not willing to subscribe to any theory of legislative procedure that denies the benefits of legislation to a relatively large group of workmen who are exposed to dangerous and definitely established trade substances, vapors, and dusts, merely because at the time of the passage of the legislation it was deemed inexpedient by our legislators to extend the operation of the act to a much smaller and less important group who might suffer personal injury during the course of their employment.

The fear has been expressed that limited occupational-disease legislation will exclude from its provisions victims of mysterious and subtle compounds or vapors (now quite unknown) that at some future

time may be evolved as a result of progress in chemical processing. Our industrial chemical consultant, who is a trained man with a background of many years of practical chemical experience, feels no apprehension on this subject. When new conditions arise necessitating changes in the law we will endeavor to produce official data showing the necessity for alterations or amendments, but until that time we shall confine our activities to a determined effort to promote more wholesome and satisfactory working conditions in the dangerous trades in our State.

Furthermore, while New Jersey has more need for occupational-disease legislation than most of her sister States, because her industries are using a larger variety as well as larger quantities of dangerous trade substances than are the industries of any of the other States in the Union, I would strongly urge labor department officials of every State in the Union to work for the passage of occupational-disease legislation of a kind that will meet the needs of their respective Commonwealths.

In addition, although the group of trade substances comprehended under the New Jersey act gives but a faint clue to the enormous industrial activities in which the use of poisonous trade compounds is required, I feel that the legislation will be most beneficial, for in addition to the inspection service that is given these industries by the State authorities, the insurance carriers writing workmen's compensation occupational-disease insurance will have a property interest in insisting that their risks maintain clean, wholesome physical surroundings, and use every endeavor to prevent male and female workers from absorbing dusts, vapors, or substances injurious to their health.

VALUE OF STATISTICS IN IMPROVING WORKING CONDITIONS

The previous speaker has proven the ancient lineage of statistical observation and has demonstrated that its jurisdictional limits cover every phase of human activities. From Biblical times statistics have been used in husbandry, mechanics, and the professions; that "they have been held in low esteem," as suggested by a previous speaker, is no reflection on the value of properly arranged statistics. That they have fallen from their high estate is due in no small measure to a disregard of certain fundamentals that underlie every form of human endeavor.

Statistics that deal with life and limb, health and death, progress or retrogression, bankruptcy or prosperity, must possess great value to students of labor-law enforcement who believe in bookkeeping methods in industry.

The passage of workmen's compensation laws provided us with the first definite official records of the ravages of industrial accidents and the enormous human toll in life, limb, and health taken annually by our industries.

If we were able to show to the industrialists of America the definite value of the safety-first movement, expressed in losses of life and limb through a man-hour exposure method, we would demonstrate for the first time that we know something of the nature of the business in which we are engaged.

During the past decade the conviction has been growing on the part of the directing heads of our larger and better managed corporations that there can be no real antagonism between sound, conservative, and forceful business tactics and the intelligent administration of labor laws that are based on experience and meet with the approval and indorsement of sound engineering practice.

Furthermore, investigations of industrial discontent and friction, supporting the theory that the migratory habits of labor, as well as the enormous labor turnover in industry, are due in large measure to unsatisfactory working surroundings affecting either safety, health, or comfort, have demonstrated the weakness of a labor policy that is not broad enough to comprehend the physical needs of the human body and its dependence on warmth, cleanliness, and nourishment, and the inevitable failure that follows when the worker thinks that his employment has not been surrounded with the largest measure of safety to life and limb that its character will permit.

It is comforting to know that we have arrived at a period in industrial history when the physical care of the worker in many plants is not regarded as a proper subject for speculation or experiment, but is ranked as a matter of fundamental importance and is placed in the same business column with the question of wages, hours of labor, and plant production. Costly alterations in plant equipment are justified by sound engineering practice when they add either to the comfort or safety of the worker, and they are successful investments when they stabilize the working force and add to the excellence and quantity of production.

VALUE OF STATISTICS IN SAFETY WORK

In considering a question of this kind, it must be remembered that the public interest is involved—a factor that is of first magnitude and before which all other interests must yield—because the maimed worker becomes an industrial handicap, a social liability, and an economic loss to the community, whose compensation, though temporarily assumed by the insurance carrier, is in the final analysis paid by the public as a whole.

The American Engineering Standards Committee, assisted by technical experts connected with State governments and the United States Government, is engaged in the formulation of working codes affecting various phases of industrial activities. After these codes have been prepared and our industries have been provided with industrial safety rules, a determined effort should be made to enlist our working people in a great nation-wide movement to banish accidents from industry. This campaign of education to popularize safety work will encourage statistical bureaus to compile their records more accurately than ever before, for it will be necessary to present accidents in groups showing cause, frequency, severity, and exposure for the educational benefit of all persons who may become interested in the movement.

Constructive accident-prevention work involving safety-first education will require a vast expenditure of departmental effort, due to complications that result from the indifference, apathy, and almost fatalistic attitude that is assumed by large groups of workmen. While it is true that formerly it was difficult to convince employers of labor that a definite moral responsibility rested upon them to

safeguard their workmen from the hazards involved in processing methods, the workmen of to-day tardily acknowledge the existence of a solemn reciprocal obligation to cooperate to the fullest extent in the maintenance of high standards of safety in the plant, even though the premises have been safeguarded in strict conformity with standardized procedure.

The following accidents will illustrate this point:

No. 1.—A workman was killed by falling down an elevator shaft, the gate of which had been tied up. This elevator had been constructed, installed, and maintained in accordance with elevator regulations established by a group of expert elevator constructors. The gate had been tied up to expedite the removal of material from a lower floor to an upper floor.

No. 2.—A workman was killed while attempting to put a belt on a rapidly revolving pulley in violation of shop rules.

No. 3.—Three workmen employed in an iron mine entered an abandoned "working," that had a bad roof, to eat their lunch. A sign forbade this practice. The roof fell and the men were killed.

No. 4.—A workman lost 75 per cent of the use of an arm from infection. A plant hospital had been provided and the men were required to report and receive treatment for even slight injuries. A slight wound which, with the exception of home treatment, was neglected, caused the loss of 75 per cent of the use of the arm.

The pioneers in the safety-first movement were of the opinion that industrial accidents were nearly always the result of improperly guarded transmission equipment or defective industrial plant premises. Modern students of accident-prevention work are quite unanimous in their opinion that approximately 85 per cent of all industrial accidents results from carelessness, negligence, or disobedience on the part of the injured man or his fellow workman.

Preventive measures should include the democratization of industry so that the individual will understand and assume his full share of responsibility in accident-prevention work. I hold no brief for employers who neglect to provide safe structural premises, standardized illumination (natural and artificial), and basic sanitary equipment required by the needs of the human body, or to safeguard transmission equipment in accordance with sound engineering procedure.

These features are basic and fundamental and a "safety-first" sign exhorting the workmen to be careful is a ludicrous anomaly in a plant where the management has neglected these fundamentals of safe processing. When these fundamentals have been given full consideration, we have merely laid the foundation of the safety structure. The great edifice itself must be erected on this foundation, and its construction will involve definite whole-hearted cooperation on the part of every individual who toils.

DISCUSSION

The CHAIRMAN. We have a few minutes for any question any person might like to ask Doctor Meeker or Doctor Roach.

Miss JOHNSON. I am glad that Doctor Meeker emphasized so clearly and forcefully the importance of statistics on earnings, and made clear the distinction between earnings and rates. The confusion between them is not confined to labor organizations and employers. I think that one of the valuable but little recognized services that minimum wage legislation in various States gives is the

collecting and compiling of data on actual earnings. Unfortunately, there is a great deal of protest against having information of that sort collected and made public. There are employers who do not object to having data with reference to wage rates, provided they are average rates, collected and published, but who do object to having data regarding actual earnings published.

In former years, when Massachusetts published data on earnings of woman workers, employers were in the habit of coming to the legislature to protest against having data of that sort—actual earnings—made known. Unfortunately, the public does not always differentiate between wages and earnings, and does not recognize the significance and importance of having data on earnings. It does not recognize that it is out of the earnings and not the rate that the workers live; that the only definite information on a given wage situation in a given place in a given group at a given time is that made available through actual earnings and not through rates. There is need, I think, for a great deal of education on this subject, to develop public interest and understanding. One of the services that an association like this can render is the eliminating of inaccurate, unscientific information on the subject, and the collection of statistics which are scientific, dependable, and worth while.

Mr. STEWART. I would like to say a few words on the subject of earnings. Doctor Meeker has just stated that the Bureau of Labor Statistics is the best source of information on earnings as well as upon wage rates. I think we should be careful to make it very clear what we mean by the term we use in this connection. Generally speaking, when we talk of a man's earnings we mean the money actually received by him during a year or any given period. This, of course, can be determined only from pay rolls, and the Bureau of Labor Statistics, as a matter of fact, does not now attempt and has not for a number of years attempted to show earnings in this sense. What we do is this—we give the rates of wages per hour, not only the minimum and the maximum rates and the average rate, but all of the rates that occur in the occupation within the industry as represented by the establishments within that industry which we cover. In the case of pieceworkers the rate is, of course, the earnings for the pay-roll period divided by the number of hours worked within the pay-roll period, but this is an hourly earning and must not be confused with the question of yearly earnings.

We secure by means of schedules the normal number of hours per week that the various plants operate within the schedule year. Then we publish the rates and the full-time hours per week; that is to say, the full operating time of the plant. We have a column in our table called "Full-time earnings per week." Obviously, these are simply the hours multiplied by the rate, and would be the true earnings of the person who worked a full week. Obviously, also, you can multiply the weekly full-time earnings by 52 and get the yearly earnings of the person who worked full time, or 52 weeks in the year.

Obviously, yearly earnings so arrived at are purely theoretical. We have always said so. As Doctor Meeker has well stated, the rate is simply the price of the man's labor. His earnings would depend on how much of that labor he sells, and this is something that nobody knows, that nobody can know. Suppose you copy the pay rolls of an

establishment for a year. You get the broken time of those who worked more or less steadily in the same establishment for the entire year. You get the earnings of the few who worked steadily every hour the plant was in operation for the entire year. You get the earnings of the people who worked anywhere from 1 day to 11 months within the pay-roll year, and these constitute from 50 to 60 per cent of the whole. If a name is on the pay roll less than the entire 12 months you know nothing whatever about the earnings of that person unless you follow him from factory to factory and job to job. As to the few who worked full time, our theoretical earnings fit them as well as the pay-roll earnings. They both amount to the same thing. As to the short-time worker, it is impossible to get his earnings without following him individually from one concern to another. He may have had but the one job and been sick all the rest of the year; he may have had two, three, or a dozen jobs in a year. It is simply impossible with the funds any of us have to follow up this man's work and get his earnings. It is something we all wish we could do, especially the newer bureaus and the newer men in the bureaus. I think the longer we live the less we think of it.

Suppose we take a dozen men in the boot and shoe industry, for instance, to start with. Three of them stay on the pay roll of the plant where we first find them for the entire period. Three of them work two months. We follow them to another boot and shoe factory where they work three months. We next find them in an iron and steel plant, where they last a month. Then we find them two months in a coal mine, etc. How are you going to tabulate the earnings of these men except as men? You can not couple them up with an industry and still hold on to their full earnings.

We talk about getting the yearly earnings of workers on any large scale. It is like a child crying for the moon. You can not get such earnings. We can work out the possible earnings of full-time workers from our wage rates, and they will be practically as accurate as if they were copied from the pay roll. And here I want to say that when the minimum wage commission people say they have the earnings for anybody except the full-time workers, if they mean what they say, they must have followed these part-time girl workers from job to job and learned what they earned each two weeks throughout the year. They may have quite a number of these schedules worked out in this way, but after all the number of such schedules which they could possibly get would be a very small percentage of the whole number of employees; and the study must resolve itself finally into the case method. Each girl must be the unit of the schedule, and industry and occupation must be ignored. This leads me to suggest that the whole purpose of the statistics of earnings compiled by the minimum wage people is entirely different from that of industrial wage statistics. The Bureau of Labor Statistics undertakes to show what the industry pays. We show industrial wage rates and possible industry earnings. The purpose of the minimum wage figures is to show the earnings of an individual regardless of industry or occupation—perhaps not entirely regardless of industry, but certainly regardless of occupation.

So far as any general line upon earnings within the industry is concerned, the only thing which I have found that helps even a little bit is where establishments keep the earnings of the men and re-

port them to the Income Tax Bureau under the income tax law. And even these statements apply only to the men who have worked enough time in the year in one plant or for an employee to earn a taxable amount.

Now I want to say just a word on another subject which has been discussed here, and that is industrial tuberculosis. I have read all the arguments for and against—at least I have read all I want to and all I am going to read. In the present state of industrial accident reporting—that is to say, in the absence of any possibility of computing an accident rate—it seems to me that the publications of the Bureau of Labor Statistics are practically final upon this subject and should be so construed without further discussion. We have given the percentage of tuberculosis in the dusty trades and in several other trades for which we have a record. We have shown the proportion of tuberculosis in these trades as compared with that for the people as a whole, and these figures should be fairly convincing that there is such a thing as industrial tuberculosis. It does seem to me that a fair, comprehensive, and intelligent use has not been made of the statistics we have along these and a great many other lines. If the figures of the Bureau of Labor Statistics do not convince a man that there is such a thing as industrial tuberculosis as distinct from tuberculosis in general, then that man does not propose to be convinced.

While discussing this industrial-disease subject I want to call your attention to some of the results that should be very apparent from a study of such industrial accident statistics as we have. Take the coal mines, for instance. We were told here yesterday that 1,700 men had lost their lives by mine explosions. Unfortunately, we have to have something spectacular like a mine explosion before people will pay any attention to what we say. Our figures show that there are about ten times as many miners killed by falling roofs as there are by explosions, and yet there is no reaction from that at all. So far from getting excited about it nobody seems to care.

Another thing in the talk yesterday impressed me. Special emphasis was placed upon one explosion caused by a man who saw fit to go into the mine with an open lamp. This brings up the whole question of the causes of accident, a subject upon which I have been exceedingly anxious to get some fair, unprejudiced information. I have lost all patience with the stereotyped phrase of "carelessness" as a cause of accident. I have still less patience with the claim that "We can do nothing so long as human nature remains as it is." My God! What will we do when human nature is no longer available? It used to be whisky, and as the supply of that is running short or getting too expensive to account for all the accidents we are beginning to put human nature under a tremendous strain. We in Washington saw the war develop a new sort of religion, or a new theology I might say. The principal doctrine of this new creed was that heaven is where there are plenty of people to blame and hell is where you simply can not pass the buck. All of the accident reporting agencies seem to have joined this new church, or at least to have applied for membership. After all, passing the buck is simply trying to get away from responsibility.

Miss PETERSON. May I say a word with reference to the question of yearly earnings? I agree with Mr. Stewart that it is a tremendous

job, and I agree with Miss Johnson that it is very necessary to pay more attention to the question of yearly earnings. In the surveys which the women's bureau has undertaken, in the wage studies we have made, we have been able to secure yearly earnings for about 20 per cent of those who have been employed for a term of one year. Sometimes we are able to get this information for only about 10 per cent, because there are too many other things to do. I think it would be well if the States could make similar studies.

Mr. MEEKER. I do not think Mr. Stewart meant to imply that full-time yearly earnings are deceptive and not worth while. If they are not worth while the Bureau of Labor Statistics would not gather the data and apply the statistics. I think they are very much worth while. I am willing to go on record as saying that the statistics compiled by the United States Bureau of Labor Statistics regarding full-time earnings are well nigh as accurate as their statistics on union wage rates, and they are just as useful for their purpose. In normal years they are a very accurate record of the earnings. It is only in the abnormal years that we must supplement this statistical record which is being published by the United States Bureau of Labor Statistics with more accurate data; in other words, undertake to get data on the shifts in the yearly earnings.

The CHAIRMAN. I will now call upon G. R. Yearsley, chief factory inspector of the Industrial Commission of Utah, for a paper on "Methods of factory inspection in Utah."

METHODS OF FACTORY INSPECTION IN UTAH

BY G. R. YEARSLEY, CHIEF FACTORY INSPECTOR UTAH INDUSTRIAL COMMISSION

The Industrial Commission of Utah is composed of three members, one being appointed every two years by the presiding governor, to serve for six years. No more than two can belong to one political party. It is a nonpolitical, nonpartisan body, and none of its members nor any employees thereof are allowed to take part in any election or be members of any political committee or caucus while thus employed. Discussion of politics is not allowed in or around the offices, and a strict watch is kept for any activity on the outside. At present there are two Republicans and one Democrat on the commission, and so far as is known the employees are about equally divided between the two parties. This system has been in vogue since 1917, through one Democratic and one Republican administration, and has proven satisfactory.

One commissioner has charge of the department of industrial insurance, another the department of labor and the hearings, while the third has charge of the safety inspections. We will deal with the latter only. This department is divided into two sections—mines (both metal and coal) and the industries. Each section is presided over by a chief. The mining chief has two deputies—one for coal and one for metal mines. The industries chief has only one, except on boilers where the insurance companies furnish inspectors. These inspectors are deputized by the commission and their reports are filed with the chief of this section. Leaving the mining section alone, we will deal with the industries only.

This section inspects 1,600 industries, besides the mercantile establishments where three or more are employed; inspects 800 boilers and 500 elevators, settles labor disputes, and inspects and prosecutes all violations in the sanitary bedding law. These duties extend from the tops of the high mountains where few are employed to the large factories of the valleys where hundreds are at work. Utah is about 265 miles in width and 345 miles in length, covering an area of 82,184 square miles, or about the combined area of Pennsylvania and Virginia, with unlimited possibilities as to raw materials.

The position of chief factory inspector in the future will be no child's play, and so what we want to do now is lay a strong foundation. To-day the chief factory inspector travels on an average of 1,200 miles per month and makes from 1,200 to 1,600 inspections per year; to-morrow he will remain in the office and a dozen deputies will take up the trail. But while young industries are springing up, they must be nourished with a father's care, and employers and employees must be made to understand their respective positions and places. This can not be done with arbitrary or headstrong inspectors, but will have to be done with those who will cooperate instead of dominate. "A firm hand and a steady head with persuasion before force, but force if necessary," has been our motto.

In a general way our method of inspection is as follows: An itinerary is made out for each trip and a systematic method used in each plant. For instance, when I go into a sugar factory, I start in at the power plant, then go to the machine shop, lime kilns, Steffens plant and trash picker, then follow the flow sheet through the plant, and finally the beet dumps, both wagon and train. By using the same method in each case you are not liable to overlook anything, and while all plants are not exactly alike, the differences are small in the aggregate, and after the first survey, a sugar factory can be finished in about two hours; also, your card index and reports are uniform.

We really count our season as starting in June when we cover the State for the pea-canning industry. Owing to the differences in altitude and climate, over thirty days elapse between the starting of factories in the valleys and those in the mountains. Each cannery is interested in a number of viners scattered through the country in which they operate and these have to be inspected each season. Some firms haul all the peas from the various viners to one factory, no matter how distant. This is profitable in several ways and avoids labor turnover. After the peas come string beans, tomatoes, catsup, fruits, and vegetables. Some plants handle all of these, others only one or two. The plants require inspections at each change, for the machinery is all replaced and guards are often left off during the rush. This applies to the 21 sugar factories also, for each summer the plants are torn down completely and examined for repairs. There is no stop during the sugar run, unless absolutely necessary, after once started in the fall.

During August and September we make trips to the outlying districts for the small concerns such as sawmills, creameries, flour mills, etc., in the mountains. Some of these are reached by auto, others by auto and horse, and a few on foot for a few miles; but a brisk walk beside a beautiful, cold, shady stream filled with fish does not mar the pleasures of the trip.

In October the sugar factories in the southern part of the State start and others follow in quick succession. This keeps us busy for about 60 days, and during the winter and early spring months we keep close to the large towns and inspect the elevators, factories, garages, etc., but should an accident occur, of course we attend to it no matter where it is located.

I am not going to burden you with statistics regarding accidents—which might be very interesting, and if any of you desire it, they may be obtained through the proper channel—but in a general way will give you the systems and methods used in guarding hazards. In passing, I wish to state, however, that we have found that at least 50 per cent of the so-called accidents are not accidents at all, but carelessness or cussedness.

We have police power and may close immediately any plant or part of a plant which we deem unsafe. Nothing has to be done except place a padlock upon it or demand its disuse, but we generally ask the commission for a resolution on the subject, giving it the files and all information leading up to the cause, so that it may be fully informed as to what is being done. Fortunately, we have made no mistakes so far and have never had to back down on any decision we have made. At first it was difficult to convince the owners that we were not intruders and usurpers of private interests, but after a few months of careful and diplomatic talking, they finally saw the light and we are now welcomed with open arms. It was a case of persistency; we made it a point never to leave a plant until they showed their appreciation by inviting us to come again. This accomplished, we thought the battle won, but when we encountered the employees, we were mistaken. One of the most disheartening things that ever happened to me has been to enter a plant where the owner had spent a considerable amount of money in placing guards and to find them thrown aside by the workmen, who when questioned as to their utter disregard of safety measures, just laughed and told me that their eyes and hands belonged to themselves and we had no right to dictate to them how they should be used. The only thing to do was to educate them regardless of their sneering remarks as to "who paid us" and "how much." The commission passed a ruling fining them 15 per cent of their compensation if they were injured in an accident arising out of the removal of a guard, and in turn had to fine the owner the same amount for noncompliance with the act in not furnishing a guard.

In large factories such as sugar plants we adopted group guarding. Take, for instance, the main drives of the "spinners." These are cross belts about 30 feet long which travel at about 6,000 feet per minute, and which are situated generally from 4 to 6 feet from the floor, so you can readily see the hazard. We fenced these with strong material 6 or 8 feet high and placed gates at each end, leaving plenty of room behind and around the clutches for a man to work or oil and be able to dodge out of the way should a belt break. Some of the plants have lately installed the system of placing an upright plank or metal guard, which is bolted to the floor and ceiling, directly behind the belt pulley to stop the slap, but the group system seems to be in favor with most mechanics. The wash and green pumps are railed off as a

unit with the gears securely guarded, but the belts are not. Groups of centrifugal pumps are railed and the drive belts left open. The railings are placed far enough away so as to avoid any slap reaching a person on the outside. No one is allowed within the railing except the oiler and the mechanic. By this method we were able to convince many obstinate persons that we were working for their interest, and, by leaving a belt or two open, were not reflecting upon their manhood by making it impossible for them to "take a chance." In plants which work only 8 or 10 hour shifts, we insist upon individual guarding and cover all moving parts.

We have found the workman the hardest part of the problem just as you have in the East, and while safety organizations help some, they do not solve the problem by any means. While the enthusiasm is high and the leader is filled with "pep" things go along nicely, but with the least lagging accidents pile up unmercifully. At least this is our experience. I can show you one plant which is considered one of the best guarded and most carefully managed plants in the State, with a good lively safety organization, which has more accidents than some of our worst places. It does not follow that a good safety organization is the Mecca of accident prevention, but from what experience I have had—and I presume workmen are all alike whether they live in New York or Salt Lake, except that possibly they are a little more independent in the West—I believe the only way to lessen the number of accidents is through individual contact with the workman, convincing him that it is his duty to himself and his family and that it is not a matter of State paternalism. No one likes to be considered childlike; hence fences built around belts and pulleys antagonize some whose caliber of thinking is small. If such a man could think properly, he would not get hurt; therefore education, whether mental or practical, is what is most needed, not force.

I spent half a day in a machine shop which had a record of 53 eye accidents in 90 days, showing the use of goggles and demonstrating the defects of glass eyes and blindness by means of posters, etc. The outcome was that the accidents disappeared and they all use goggles now. It was simply a case of a stubborn foreman, who would not use them himself and a few "clever" fellows who could "get by" safely; in other words, a case of pure cussedness only. These cases must be handled gently and diplomatically in order to avoid adverse criticism, and the inspector must temporarily place himself upon the same plane as the workman, so that he can be a chum rather than a teacher, thereby gaining the confidence of the workman. Teaching the workman is no "white-collar job," and a soft shirt and wrinkled trousers will command more real attention in any foundry or mussy plant than a full-dress suit. Sitting upon the ground in the shade and eating from a workman's dinner pail and "rolling your own" from his tobacco, telling a few clean stories, and discussing the topics of the day will gain more confidence than a free banquet in any hotel. The main thing is to "get next" to him if you want the impression to last. It is a slow process, but the results are lasting. This may not work in the East, but it does in our country.

Boiler inspections are the same all over the country and we have adopted the American Society of Mechanical Engineers' code. As before stated, we depend a great deal upon the casualty insurance

companies' inspectors for the major part of our inspections and only in case of a dispute or noninsurance do we enter into the discussion. The boilers throughout the State are in good shape and the records show no serious accidents since the commission has been in action.

The elevator situation in Utah was bad before the American Society of Mechanical Engineers' code was adopted in 1920, but since that time we have been able to clean up all of the passenger and most of the freight elevators. It caused some friction in certain cases, but after condemning the car and placing a padlock thereon, a new installation was made immediately. To-day we are consulted before contracts are let for new installations or even extensive repairs, and in this manner we are able to keep in close touch with the situation. The hand-power converted type has been our greatest difficulty, but with persistent efforts and close restrictions we have been able to eliminate many and will have the balance before long. They are used for freight only. All installations of new equipment are tested at full capacity and overspeed. New types of safety planks are drop tested at full capacity before approval. Hoistway door locks are installed and fully tested before approval.

The constructing elevator companies are in true accord with the code and are assisting us in keeping the proper standards, even going as far as to refuse to do the work where improper or undergrade material or workmanship is requested.

A three-way card-index system is kept of all inspections. One set gives the firm name, location, business, when inspected, for what, when reported and by whom. This is filed in alphabetical order by firm names. The second set gives the same information, but is filed by industries—for instance, flour mills, sugar factories, etc.; and the third set is filed by names of cities or locations. One can easily see the benefit of this for quick reference.

The CHAIRMAN. We will pass on to the next paper, "Relation between the work of governmental labor officials and the work of legal aid organizations," by John S. Bradway, secretary National Association of Legal Aid Organizations.

RELATION BETWEEN THE WORK OF GOVERNMENTAL LABOR OFFICIALS AND THE WORK OF LEGAL AID ORGANIZATIONS

BY JOHN S. BRADWAY, SECRETARY NATIONAL ASSOCIATION OF LEGAL AID ORGANIZATIONS

Having been asked to address you on the "Relation between the work of governmental labor officials and the work of legal aid organizations," the main point of relationship which comes to my mind is that we are both engaged in the administration of justice. Consequently, I will talk to you about justice and its administration under our Anglo-Saxon methods of procedure.

Justice has been defined as the greatest aim of man on earth. In order to secure justice men have set up elaborate pieces of machinery adapted to the purpose and called governments. In one sense the test of efficiency of a government is its ability to procure justice for the persons who are governed. If a government fails to secure justice to any considerable extent, it is liable to be called into question by the people and perhaps be overthrown.

Our Anglo-Saxon governments are set up on a series of written documents beginning with the Magna Charta in 1215 and continuing down to our later Federal and State Constitutions. There are certain fundamental statements contained in these documents which set forth, first of all, the justice to be secured by that particular type of government, and, secondly, the machinery which is devised to secure it. Running through the whole range of Anglo-Saxon law we find guaranties of justice. An instance of this is written in the constitution of Pennsylvania:

> All courts shall be open and every man for an injury done him in his lands, goods, person, or reputation shall have remedy by due course of law and right and justice administered without sale, denial, or delay.

The Magna Charta (chapter 40) contains the statement: "To no one will we sell, to no one will we refuse or delay right or justice."

These three things we may take as fundamental: First, that our Anglo-Saxon government shall be a government of laws and not of men—a guaranty that our laws shall be based upon well thought out clearly-defined rules rather than upon the whim of the individual. Second, we are guaranteed equality before the law. The Constitution of the United States, amendment 14, section 1, says: "No State shall deny any person within its jurisdiction the equal protection of the laws."

This is a guaranty that no person in the community shall be above the law or below it. And third, there is a guaranty, as in the Constitution of the United States, amendment 5, that the protection of our law shall be extended to a man's life, liberty, and property. If, therefore, every citizen living under an Anglo-Saxon form of government secures a government of laws and not of men, an equal protection of that law, and a protection extended to his life, liberty, and property, he will receive that justice to which he is entitled.

It is a matter of pride with us that this situation does exist in the great majority of instances, and that justice is done to the citizen of both of the great countries represented at this convention. We should recognize that credit for this is due to the administrative officials, courts, and bar of our countries whose duty it is primarily to administer this law. The law itself is in the main absolutely just, and is designed to operate with absolute equality upon all persons. But new social and economic conditions may arise which will require the erection of new legal machinery or the adaptation of existing legal machinery in order that justice may be brought to certain groups in the community fully and completely.

As long as our countries remained sparsely settled with small communities of individuals, it was unlikely that much injustice would occur between different members of a particular locality. Every man knew his neighbor, and in the event of a wrongful act the circumstances could, with comparatively little trouble, expense, or delay, be passed upon by those in authority. But in the very growth of our great urban communities we find a new condition of economic and social life presented and new groups of people developing. One of these groups is composed of poor persons who, because of their poverty, are largely inarticulate and whose cries of distress come faintly, if at all, to the ears of those other citizens in the community who have sufficient interest to remedy the injustices. A second group is

composed of sly, dishonest persons who take advantage of the very numbers of the people to defy the law and to laugh at those upon whose shoulders is laid the duty of administering it.

Let me illustrate this situation for you by a case which came to me a couple of years ago when I was chief counsel of the Philadelphia Legal Aid Bureau. I take the illustration because it is one with which you are all familiar and which you could duplicate many times over from your own experience.

An old man secured a position counting bricks. Certain buildings were being demolished and the brick from the buildings was to be resold. The foreman hired the old man to count the bricks at the rate of $2 a day. For four days the old man counted bricks from one pile to another, and at the end of the fourth day the work was done. He then applied to the foreman for his money. The foreman drew out of his pocket a roll of bills and counted off $8. He then looked at the old man and saw that he was feeble, and decided that here was a good opportunity to keep the money for himself. Accordingly he put it back in his pocket and told the old man to move on before a policeman was called. The old man protested, but the foreman, with imprecations and a few blows, drove the old man off the lot and sent him walking down the street.

The old man sat down on the sidewalk and thought about the situation. Under the laws of Pennsylvania he had a right to his money, but he did not know how to enforce that right, and consequently he was without funds.

This is a practical situation. You may change every detail of this story with the exception of the one factor—poverty—and the result will be the same. In theory the law did guarantee "equal protection." In practice the poor man in this case did not know how to obtain equal protection.

The average poor man in this condition knows that he should go to a lawyer to have his rights enforced. He hesitates to go to a lawyer's office because of the fee which he believes must always be paid. If the particular man in our illustration had gone to a lawyer's office he would have found out that it would cost him $3.50 to start suit in a magistrate's court, and $6 to start suit in the municipal court, and he had no money for either. He would further have learned that the case would take several weeks or perhaps even a couple of months before it could be disposed of, and he could not afford to wait this length of time because the money was needed at once for food and clothing for himself and his wife. In the third place, if he had instructed the lawyer to proceed with the collection of the money the lawyer would have done work which in all justice to himself should be compensated for by a reasonable fee. This the old man could not afford to pay.

Our law books, all nicely bound and placed in rows on the bookshelves of our libraries, contain definite statements that the old man had a right to his money. As a practical matter he sat on the sidewalk and did not receive his money.

The reason he did not assert his rights was because of three factors, namely, court costs, delay of court procedure, and the need for and expense of a lawyer.

Court costs are very necessary. They serve to keep from litigation many cases where the matter has been purely one which should be

settled out of court. They serve to bear at least a portion of the expenses of the court. We have no quarrel with court costs. But where the principle which supports court costs comes in conflict with the greater principle that justice must be administered equally, the lesser principle should give way to the greater.

Let me cite you another case which shows what the existence of court costs will do in denying a man justice. I refer you to the case of Campbell *v.* Chicago Railroad Co., 23 Wis. 490. Campbell sued the railroad and the railroad asked him to file a bond for costs. Campbell was poor and could not do so, and the judge therefore dismissed the case. Campbell appealed to the supreme court of his State, and the supreme court, in affirming the judgment of the lower court, said in its decision, "It seems almost a hardship that a poor man should not be allowed to litigate."

There is much to be said in favor of a reasonable amount of delay in court procedure. Delay gives to the litigants time for reconsideration of their differences and aids in furthering amicable adjustments. A certain amount of delay also aids the court in giving well-considered judgments on the cases rather than hasty snap decisions. But when the principle of delay in court procedure comes in conflict with that greater principle of equal protection of the law, then, indeed, the lesser principle must give way to the greater.

There is much to be said in favor of lawyers. Speaking as one of the members of this profession, I am profoundly convinced that lawyers are a necessary adjunct to our present-day system of administering justice. Charles Warren, in his History of the American Bar, cites several instances of efforts made by the early legislatures in this country to do away with the legal profession entirely. But the need was such that the profession always sprang up again and continued. I think we must admit that unless our method of administering justice is completely revised the lawyer is an integral part of it. If, therefore, we admit that the lawyer is necessary, we must realize that justice may not always be done if one party to litigation retains a lawyer and the other party, because of his poverty, can not secure that aid. The chances are that if a man can pay for a lawyer to do his legal work for him, he will win the case as against a poor man who must prepare his own papers, file his own briefs, interview and cross-examine his own witnesses, and contend unaided and alone with the intricacies of our legal procedure. It follows logically, therefore, that if a poor man is to receive in all cases that justice to which he is entitled under our fundamental documents of government, we must supply a lawyer for him without cost to himself.

For these three specific difficulties in the administration of justice there are equally specific remedies. The problem of court cost is being attacked by the committee on legal aid work of the American Bar Association, which is now engaged in preparing a model act providing for a procedure whereby in a proper case court costs may be waived in the interests of a poor litigant. The problem of delay in court procedure is being equally well met by such organizations as small claims courts, conciliation courts, and governmental labor officials. Finally, the problem of the need for and the expense of a lawyer is being met by the legal aid society. Briefly, legal aid work is nothing more than this: supplying a lawyer to a poor man who can not afford to pay for the service and who, if he did not receive it, might

be denied justice. Legal aid work began in New York City in 1876, the society in that year handling 212 cases and collecting for its clients a sum of $1,000. The work has advanced satisfactorily, until in the year 1924 there are 100 legal aid groups and societies situated in most of the larger cities of the United States and in some Canadian cities engaged in this work and handling over 125,000 cases a year and collecting for their clients, in amounts averaging less than $15 a case, over half a million dollars a year. In the 40-odd years of legal aid work in the United States, 1,762,873 cases have been handled and the total collections during the same period for clients amount to over $6,000,000.

Our purpose here is to consider not so much legal aid work by itself as the relationship between legal aid work in the administration of justice and your work in the administration of justice. A legal aid organization approaches the problem from the point of view of 250 different kinds of legal cases involving innumerable questions which it handles during the course of the year. These cases include matrimonial difficulties, wage claims, landlord and tenant difficulties, collections, installment contracts, adoption, and many similar matters. Those with which we are chiefly interested at this meeting are the collection of wage claims. Your organizations operate in an entirely different field, which is concerned not so much with the administration of legal problems as it is with the equally interesting economic and social field of the relation between the employer and employee. In the course of your work you come in contact with all sorts of conflicts, physical and otherwise, arising between the men who employ labor and the men who work for capital. Among other things you are interested in the collection of wages, because this is one of the vital factors in the relation between the two parties.

Our joint field of activity is that of the collection of unpaid wage claims. The whole problem of wage collections and a larger economic and social problem of the relation between employer and employee have been the subject of spirited controversy during the past 50 years. Our Government was based to a large extent upon the individualistic theory that every man who was sui juris should as a matter of right be left free to enter into any contract that he desired. Many of our States set forth in their constitutions a statement that interference with this freedom of contract would not be tolerated. So long as there was land to the westward, where dissatisfied laborers might go to live their lives in their own way, this individualistic theory met satisfactorily the conditions of our social and economic growth. Shortly after the Civil War, however, conditions changed. Industries became crystallized. Enormous metropolitan centers grew up. And the very individualistic theory which had previously been an aid now became a detriment to the laborer. In his social and economic field he was, as a matter of fact, not free to contract with whomever he wished. Because of the pressure of competition from his fellows he was forced in many instances to accept such terms of employment as were available or to starve.

In time this condition attracted the attention of the State legislatures and they began to pass laws which inadvertently affected the freedom of contract. Our law as administered by the courts under our State constitutions changes gradually. It was natural, therefore,

that these first legislative efforts should be declared unconstitutional. In later years, however, there is a very interesting line of decisions which are beginning to recognize the constitutionality of legislation of this kind. From the point of view of substantive law there is less ground for complaint as to the problem of collection of wages.

It is significant, however, that this legislation was concerned primarily with social and economic problems. The result of it was to assert as a matter of law certain social and economic rights. Illustrations of this sort will be found in the laws providing for a minimum wage. These laws were based on the thought that competition between laborers for a particular piece of employment should not be permitted to extend below a certain level of compensation. Another line of statutes in the same field required that wages be paid within a week, two weeks, or a month from the time the work was done. This was because it was no longer regarded as fair for capital to borrow wages from the laborer for long periods of time when the laborer was daily giving his services outright to the employer. Other examples of legislation had to do with the restriction in the employment contract, hours of labor, and similar matters.

While the emphasis was being placed on these economic and social safeguards there seems to have been less interest displayed in the matter of the procedural side. The means by which these laws are made effective is a matter separate and distinct from the right which the law provides. Unless the machinery for enforcing such a law is adequate there is no life to the law itself, and the rights given by it are merely an empty gesture.

Dean Pound, of the Harvard Law School, has pointed out that in much Anglo-Saxon law there is a Puritan element. This element apparently comes from a racial belief that because a law is written on the statute books therefore it will be obeyed. It is a matter of pride with us that we obey the law because it is the law. But in many circumstances we believe that the law is not obeyed merely because it has been enacted. We are continually finding more and more persons who for their own advantage ignore the law. In such case we must provide machinery to enforce the law, and the machinery must be adequate for the needs desired.

It is a fundamental right of every person who has entered into a contract to sue in a civil court for a breach of that contract by the other party and to recover damages therefor. This procedure is in force in every State and represents the final right which the injured party may have. We have already discussed the fact that delay in court procedure, court costs, and the need for and expense of a lawyer render this right less definite for the poor man.

Realizing the difficulties presented by this mode of procedure, we have sought means of enforcing the law for the benefit of the workman.

One group of States, including Kansas, Louisiana, Arkansas, California, Idaho, South Carolina, Montana, Michigan, and Indiana have endeavored to compel payment of wages by imposing a penalty for nonpayment. The difficulty with this method of procedure, however, lies in the fact that the unpaid wage earner must, of his own initiative, collect the penalty by an ordinary civil suit, which is again subject to delay, court costs, and the expense of a lawyer. Other States, realizing the cost of such a procedure because of the need of

a lawyer, have allowed the lawyer for the laborer to collect his fee from the defendant, provided the laborer won. Thus Minnesota, Montana, Iowa, and Oregon make additional provision.

Both of these lines of statutes are of doubtful constitutionality. Reginald Heber Smith in his article "Administrative justice," appearing in the Illinois Bar Review for December, 1923 (page 211), discusses the reason for this situation. He says:

> Some cases have held that statutes allowing the attorney's fee to the plaintiff but not to the defendant are unconstitutional. The argument is that it is wrong to help one side unless a reciprocal and similar advantage is held out to the other side * * * But here again, even if we assume the constitutionality of our statutes, we find that the fundamental difficulty has not been wiped out. The plan of inducing attorneys to act in hopes of a counsel fee for success savors too much of the contingent system. Also, we repeat the mistake of dropping the life preserver into the ocean 100 yards from the drowning man.

Another group of States have taken a step in advance by placing the responsibility for enforcing these wage-payment laws in the hands of an administrative official, generally called a labor commissioner. California, Nevada, Utah, Wyoming, Massachusetts, and Washington are in this group. These administrative officials have not been given any legal jurisdiction to hear and determine such cases. This is in contrast to the action of the legislature as to industrial accident boards and workmen's compensation commissions. Undoubtedly many of these administrative officials actually do collect large sums of money for laborers, but again we are faced with the need in some cases of taking a case into court, and here the old difficulty of the expense of the lawyer becomes a serious obstacle.

This presents to us the problem, "How shall we efficiently enforce laws for payment of wages?" Before we consider the remedies we should say a word about the importance of the problem.

Is there any real widespread condition in the United States which makes it of value that we endeavor to collect wages, or are instances of injustice to employees so occasional as to be something of a curiosity? Frankly, we must admit we do not know all the facts. We ought to know all the facts. It ought to be possible for us at least to approximate the number of persons in the United States each year who are deprived of their earned wages because of lack of machinery to enforce the laws. In our present condition the best we can do is to estimate from such information as we do have. The best information which I have been able to discover is contained in the records in the National Association of Legal Aid Organizations, which show that in the year 1922 there were more than 125,000 cases handled by legal aid organizations throughout the United States. The information that has come in indicates that the largest single type of case in the different organizations was that of wage claims. We are further informed that in the same year the legal aid organizations collected, in amounts averaging not more than $15 per case, over $520,000. In the majority of instances these collections were of wages. It is not contended that these figures are at all adequate. In your own offices you probably have data which will amplify this information extensively. But at least we can say that we are now confronted with a situation in the United States where employers are endeavoring to retain from employees nearly half a million dollars a year in small amounts when the money is justly due and payable to the employee. This is a huge evil. When figures

are available showing the full extent we will probably be astounded at its proportions. It is evident that if it be allowed to grow unchecked it will undermine to a large degree that respect for the law and order on which we pride ourselves.

It is a satisfaction to know that there are practical methods of approaching the problem. These are four in number: The first line of attack is a proper law on nonpayment of wages. We must ascertain what is the best type of law. The second line of attack is the governmental labor official. If there is a proper law the unpaid wage earner can go to such an official and collect his wages in perhaps 75 per cent of the cases. The third line of attack is the small claims court. Here in small wage claims the employer can be forced to pay. Finally comes the legal aid society, which supplies a lawyer in the most complicated cases.

Taking these up in detail it would appear that we do not as yet have the best type of law on nonpayment of wages. It follows that there is a responsibility upon some one in the community to see that such a law is enacted. Your organizations and mine are primarily interested and it seems natural that we should assume a definite obligation in this connection. We should see that a law is prepared which will deal adequately with the problem.

Assuming that we can devise such a law, the next step is the work of your organizations. Quoting again from the article, "Administrative justice," previously referred to, we find:

> These administrative officials have not been given any legal jurisdiction to hear and determine cases as have the industrial accident boards, but in California and Washington the officials may arbitrate seasonal labor wage claims and all of the officials have acquired a sort of de facto jurisdiction and conduct hearings which are partly in the nature of arbitration and partly in the nature of conciliation. Under this de facto jurisdiction the administrative officials have accomplished results. In California from 1912 to 1920, 64,228 claims were filed and 38,716, amounting to $1,185,602, were collected.

This is a splendid record of achievement. No doubt the records of your other offices will show an equally imposing set of figures. Your interest is attracted to the matter of collecting wages by conciliation and adjustment. The experience and effort which you have brought to bear upon these daily tasks have qualified you as experts in devising legislation.

By your conciliation you accomplish two things—a just settlement of the claim in question and a better understanding between the parties. There is need for a more widespread understanding of the value of conciliation as you make use of it. Conciliation, if rightly used, has the advantage of being inexpensive, speedy, and devoid of tangled procedure. In your hands it is one of the greatest remedies for the problem of wage collections. You will find few forms of activity among your many duties which will be more definitely appreciated than this.

Let us consider another phase of the problem. This has to do with wage claims which will not yield to conciliation and where court action must be taken. Ordinary court procedure is adopted primarily to ascertain truth and to administer justice. It handles all types of cases and is seldom adapted to specialize in any one. The collection of a wage claim is a distinct type of problem. The economic and social conditions of the wage earner make necessary a speedy trial, inexpensive proceedings, and as little complication as possible in

methods of procedure. Many persons have come to believe that the small claims court fills this need. The American Bar Association committee on legal aid work in its 1923 report tells us that such organizations now exist in the States of California, Idaho, Kansas, and Massachusetts, and in the cities of Cleveland, Chicago, Milwaukee, Minneapolis, Portland, Spokane, and St. Paul.

These courts by specializing on small claims are able to care for a large number of cases in a very short space of time, to give a decision, and to compel payment of wages by compulsory means. Their work deserves great approval because they have been conducted in such a way as to accomplish just these results—an inexpensive, speedy, and uncomplicated trial and judgment which may be collected. They have their place in the collection of wages and we should be ready to acknowledge that place and to give our assistance in encouraging their growth.

Lastly, let us consider the legal aid organization. It is the poor man's law office. It supplies him with a lawyer without cost to himself. Its field of activity is just as vital as those occupied by your efficient bureaus and by the small claims courts. Where there are no small claims courts there is need for a lawyer to press cases in the regular trial courts. Even where there are small claims courts there are cases which must be followed up after the judgment of the court has been given. It is not entirely unusual for the employer to feign insolvency, to put his property in his wife's name, to prepare impromptu bills of sale, and in other ways endeavor to evade payment of his just debts. If we are to provide a complete machinery to insure the payment of wages we must have, in addition to the law, at least three things—an agency which will endeavor to effect settlement by conciliation; an agency which will have the power to adjudge the rights of the parties; and an agency which will follow the most difficult wage claim through court procedure to judgment, execution, and beyond until final settlement is reached. The employee with a just claim is entitled to his money no matter how difficult it may be to get the money for him, and justice is not complete when the machinery set up to attain it gives him anything less than payment in full.

Where the wage claims which come to your organization and mine involve these problems which are sometimes beyond the scope of the powers intrusted to us, we are confronted with the question as to how this complete service should be rendered. It is in this connection that I urge upon you cooperation with the legal aid societies of the United States and Canada. Our work is no panacea, but in our own particular field it is the efficient means of accomplishing certain definite results which can only be accomplished by a trained lawyer. In the same way your offices are the efficient solution in the field of conciliation. We need to devise a good law on the subject and to organize specialized courts which will do away with delay, expense, and complicated procedure. A committee of the Association of Governmental Labor Officials of the United States and Canada cooperating with a committee of the National Association of Legal Aid Organizations will provide the immediate means of attack. I urge upon you the appointment of such a committee.

There is more to our task than merely finding these remedies. We must find out how to apply them. It seems to me important

that we should consider ways and means by which your organizations and those which I represent may cooperate in this task. We should cooperate because we are engaged in the administration of justice and because working separately we may gain personal glory at the expense of our efficiency in the greater public task. There is no conflict between the kinds of work we are doing. But our duty is not done when we have appointed such committees or when they have given us a proper law on the payment of wages. We must see that the law is administered. Our laws are printer's ink on white paper shut up in books. When, in time of need, they remain shut up in books, then the applicant for justice is shut outside the law, and a man shut outside of the law is an outlaw. If you and I, because of our particular position in the community, fail to realize to the fullest extent our opportunities to bring these laws out of the books and home to the people, the work may never be done at all or it may be most inadequately done. If we rise to our opportunities we will accomplish not merely the particular task that has been set us but also we will do our share to make good that ideal and fundamental principle upon which our countries, our Constitution, and our civilization are builded—the equal protection of the law.

DISCUSSION

Mr. SWEETSER. While we are on this question I would like to ask the last speaker if he has looked into the Massachusetts law on wage claims?

Mr. BRADWAY. I have heard of it; I have not looked into it extensively.

Mr. SWEETSER. Do you know anything about it?

Mr. BRADWAY. I do not know enough about it to talk intelligently on it at this time.

Mr. SWEETSER. We have a law that if the employer fails to pay the man it is a criminal offense. We enforce that law through attorneys.

Mr. BRADWAY. I do know that the Boston Legal Aid Society reports to me that all wage claims which come to its attention are referred to your organization and that they are always handled very efficiently.

Mr. STEWART. Massachusetts is very fortunate in that nonpayment is a criminal offense. I am very sure that no other State in the Union has introduced that feature into its wage laws. It may be that some have, but I think the real situation is this: A few of the bureaus of labor do collect unpaid wages as a bluff; one or two of them have laws which permit them to do it; a few of them do it without any law. The president of this legal aid society, Mr. Herbert Smith, of Boston, came to me some time ago, and suggested getting in touch with the International Association of Industrial Accident Boards and Commissions to have its members use the legal aid organization more generally. I told him the chances were that this association was far more closely in touch with the subject than other associations, and that this was the place where we ought to hear about that organization.

I have in preparation a report upon the work of this organization. It seems to me that here is a chance to use a really efficient, useful, square organization for the collection of small wage debts. I am thoroughly satisfied that it will be of great help to all of you, without any expense, and I move that it is the sense of this association that the president appoint a committee to confer with the National Legal Aid Association to strengthen the collecting of wage debts, and furthermore that each bureau affiliated with this association will, when it has troubles of that sort, turn them over to the legal aid organization, to the end that we may lessen the amount of pilfering of small wages. [Motion seconded.]

The CHAIRMAN. That motion would mean just bringing it to the attention at the business meeting?

Mr. STEWART. Yes.

The CHAIRMAN. It has been moved and seconded that this association appoint a committee to confer with the National Legal Aid Association, and recommend the use of this organization by State bureaus.

[Said motion so moved and seconded was carried. Meeting adjourned.]

ALICE McFARLAND, DIRECTOR WOMEN'S WORK, KANSAS COURT OF INDUSTRIAL RELATIONS, PRESIDING

The CHAIRMAN. Miss Anderson, of the Women's Bureau, is not able to be with us this morning, but we have her paper on "The International Federation of Working Women," and Miss Peterson will read it.

THE INTERNATIONAL FEDERATION OF WORKING WOMEN

BY MARY ANDERSON, DIRECTOR WOMEN'S BUREAU, UNITED STATES DEPARTMENT OF LABOR

[Read by Agnes Peterson]

To many of those who have been following for several years the development of the International Federation of Working Women, the third congress, held in Vienna last August, was particularly significant. So that we may have the background of this first international gathering of working women before us, let us look back to the time and the occasion of the original plan.

In the summer of 1917, when the convention of the National Women's Trade-Union League of America met in Kansas City, Mo., the air was filled with war problems, and the women gathered there assumed their full responsibility in the handling of them—with, however, an unwavering forward look. For they felt that the work of reconstruction and the safeguarding of the interests of the workers, especially the woman workers, after the war should be over, was to the full as essential as any of the questions of the hour. One resolve that the convention made in this connection was to hold, or help to call together, an international congress of working women.

Between that time and the convening of the next biennial gathering of the league, in June, 1919, plans for this international meeting had been set going. Miss Rose Schneiderman and I went to Paris early in 1919 to attend the Peace Conference, and while there talked over with the French trade-unionists whom we met this idea of a closer union of working women the world over. The French working women were enthusiastic over the thought, and tentative plans were discussed for calling such a meeting in Washington just prior to the International Labor Conference, already called for the following autumn.

When we reached England and mentioned the plan, we found the British trade-unionists equally eager for such a gathering.

At the league's 1919 convention, therefore, after we had reported on our encouraging conferences in Europe, it was voted that the National Women's Trade-Union League should send invitations to the trade-union women of all countries to meet in Washington, October 29, 1919. Three prominent British women—Mary Macarthur,

Margaret Bondfield, and Eleanor Barton—were visitors at the convention and gave every encouragement to the new endeavor in internationalism.

This first meeting, held in Washington as planned, was one of tremendous inspiration and enthusiasm. There were present delegates from 12 nations with voting powers, and 7 other countries were represented without vote. Several of the foreign delegates also held positions as technical advisers to the delegates of their respective countries of the First International Labor Conference, called by the International Labor Office of the League of Nations.

Mrs. Raymond Robins opened this first congress and was elected its president. The sessions of the congress were devoted to discussions on all those problems so vital to the well-being of the working woman, and the conclusions reached are reflected in the resolutions which dealt with direct representation of women at the next international labor congress; 8-hour day and 44-hour week for all workers; child labor; maternity insurance; night work; unemployment; hazardous occupations—protection of men and women; emigration; and distribution of raw material.

Each day, as soon as the resolutions were passed, they were submitted to the labor conference, each with the same introductory phrase: "The First International Congress of Working Women requests the First International Conference of Labor of the League of Nations that an international convention establish," etc.

The two years following this first congress were used to good purpose in forming international connections from the headquarters maintained in Washington, with an executive secretary in charge. A cooperative relationship was established with the International Labor Office in Washington, from whom our headquarters received valuable advice.

In 1921 the second congress convened in Geneva, Switzerland. There were delegates from the United States, Great Britain, France, Italy, Switzerland, Cuba, Czechoslovakia, Norway, Poland, South Africa, and Belgium. The program followed that of the International Labor Committee of the League of Nations, and the subjects were: Anthrax; lead poisoning; women and children in agriculture; and the employment of young boys as stokers on board ship. Besides these, there were resolutions on unemployment and disarmament.

This congress voted that the headquarters be removed to London because of the great distance of America from the other countries, and the organization became henceforth the International Federation of Working Women. Then came 1923 with its Vienna congress, held in beautiful Schoenbrun Castle, the former home of the Hapsburgs.

Perhaps in the present tragic state of Europe the most important and at the same time the most difficult thing that any international organization can do is to exist at all. Surely it is true that for women of the labor movements of Europe, crushed and torn and impoverished as these movements are, and women of the American labor movement, harassed by postwar problems on its part as well—for these groups to be able, despite such conditions, to hold their third international congress is an achievement demonstrating strength both of purpose and of faith.

It demanded strength of purpose to overcome the physical obstacles to international understanding and cooperation by meeting to discuss

their problems, and of faith in a common sisterhood despite the barrier of 3,000 miles of ocean; despite the difference in peoples evolved from different ethnical, political, religious, and economic backgrounds; despite the varying conditions, conceptions, and standards of life imposed by the different environment of the Old World and the New. This congress disclosed, more unmistakably than ever, how different are the philosophy and structure of America from the other countries; how hard, how very hard it is to speak the same language. But it made more evident the need, more fixed the determination to achieve that understanding.

The discussion on international labor legislation dealt with the work of the International Labor Office. The two earlier conventions covered such subjects as child labor, the 8-hour day, labor laws for women, agricultural labor problems, unemployment, home work, and many other industrial issues. The Vienna congress of working women dealt especially with the question of home work, family allowances, and the methods of regulation of employment conditions.

On the issue of labor laws affecting women, but not necessarily applying alike to men, the congress upheld the American delegates' point of view, which is that of the American Federation of Labor and the National Women's Trade-Union League; namely, that any industrial group, whether women or men, should be the judge of its own methods of securing better industrial standards, whether by trade-union agreement alone, by legislation, or by both methods. The committee brought in the following report, which was adopted:

> Nationally and internationally, there should be minimum standards of work, such as the 8-hour day, but the method by which such standards are to be obtained, whether by trade-union agreement or by law, or by both means, should be determined by the organized workers of those countries according to the economic and political conditions in each country:
>
> Therefore, the International Federation of Working Women declares in favor of labor legislation for women in countries where the organized working women wish to use this method to improve the industrial conditions.

The discussion on home work brought out most striking differences between the nationalities in their attitude toward the thing which in America is another name for the worst form of sweat-shop evil. Home work in the European countries is entrenched behind the self-interest of the employers on the one hand and to a considerable extent the acquiescence of the workers on the other. It results in underpayment and a consequent lack of independence among the workers, the woman workers being the lowest paid group of all. As to the remedy, according to a report prepared by the secretariat of the International Federation of Working Women:

> There is a fundamental distinction between British and continental policy in this matter. Generally speaking, continental legislation usually deals with home workers and aims at keeping their wages level with those in the factory; British legislation deals with certain trades, and lays down minimum wages for those engaged in the industry, home work being thus treated as a part of a trade, and not as a separate problem. Enforcement, too, appears to be more vigorous in Great Britain than on the continent.

The report adopted by the congress called attention again in this instance to the different conditions in different countries and the consequent necessity for adaptation of regulatory methods to the conditions in each country. It was recommended that further informa-

tion be sought through the International Labor Office, and that the question be carried on the agenda of the next international congress of working women.

To the American delegates the proposal for "family allowances"—meaning an addition to the basic wage of a man according to the number of his dependents—was by no means so familiar as to the Europeans. In America organized labor demands wage standards which shall be sufficient for a family and shall bear a proper relation to the skill of the worker. To some extent in various European countries the family allowance is resorted to. Usually it is paid from a pool of funds set aside by the employers for the purpose, under agreement with the trade-unions. In Austria, however, the State is a party to the arrangement. The system was started during the war, to meet the problem of increased living costs, but has not satisfied the workers. They feel that it keeps wages down, and should be discouraged in favor of continued effort for better wage standards. The committee on family allowances and the congress made recommendation to that effect.

A conference on methods of organizing women into trade-unions occupied one of the morning sessions of the congress. It brought out reports on the conditions in different countries, and the common need of intensive campaigns to organize woman workers, especially the young girls and the least skilled women. The committee's report, adopted by the congress, advocated (1) organization of men and women into the same unions; (2) an intensive campaign through the national labor bodies in each country; (3) special leaflets and literature to appeal to woman workers; (4) increased recreation facilities through general and special subjects; and finally, in view of the fact that so many women and girls are but transitory in industry, the congress recommended special attention to the task of awakening their social consciousness, for the sake of future moral support of the labor movement.

The committee on constitution of the International Federation of Working Women had a most difficult problem to deal with; namely, the status of the federation for the future, concerning which proposals had been made by the secretariat in London.

This proposal for the women's department of the International Federation of Trade-Unions, as outlined to the Vienna congress, provides for carrying out the plan by—

1. Developing the present women's department at Amsterdam and appointing a woman secretary.
2. Establishing a women's committee representing the trade-union movement in different countries to work with the department and the executive authorities of the International Federation of Trade-Unions in the development of the trade-union movement among women. This shall be called together at least once a year, and more frequently if necessary.
3. Holding a congress of working women at least every two years, preferably before the biennial congress of the International Federation of Trade-Unions.

After extended discussion in the committee, and with the American delegates not voting, the proposal of the secretariat, of the International Federation of Working Women at London was accepted by the Vienna congress, and as a result negotiations are in progress

looking to the absorption of the International Federation of Working Women into a department of the International Federation of Trade-Unions at Amsterdam. The congress of the International Federation of Trade-Unions which will be held in 1924 will act upon the proposal, and such action will be communicated by the International Federation of Working Women to its affiliated bodies for ratification. In the meantime the International Federation of Working Women continues technically under the Geneva constitution adopted in 1921.

Underlying the different points of view of the American and the European working women on this proposal are their different conceptions of economic and social structure. American women have recognized the necessity for a woman movement within the labor movement; hence the existence of the National Women's Trade-Union League of America, an autonomous body working in cooperation with the American Federation of Labor, but specializing upon the problems of working women, which are admittedly different in many vital respects from the problems of working men, and need to be emphasized by women from woman's point of view. On the other hand European working women agree with European working men in placing emphasis on class consciousness and deprecate a woman movement within the class.

At Vienna the European delegations were unanimous in their belief that if the International Federation of Working Women is really to serve the best interests of the organized working women of Europe it must become an integral part of the International Federation of Trade-Unions, which is officered and controlled by men. The American delegation felt that a woman's department in such an organization, while it could undoubtedly serve a useful purpose, could not do for the working women what the American women hoped it would do when the International Federation of Working Women was founded in Washington in 1919.

It was another instance of the different philosophies of the Old World and the New, another illustration of the need for better understanding by each continent of the conditions of life in the other, and another impetus, therefore, to future conferences, future consultation, future assembling of the working women of all nations in the cause of international fellowship, which was the goal of the National Women's Trade-Union League of America when it called the First International Congress of Working Women four years ago.

Perhaps while the International Federation of Working Women, because of various handicaps, has not in the four years of existence accomplished all that we had hoped it could, we find, however, that it can point to something that can easily be counted as a definite step forward in international understanding and woman's progress. Perhaps I can tell this to you best by quoting the secretary of the federation, Dr. Marion Phillips:

> I might point out right here that it is a remarkable accomplishment for our International Federation of Working Women to make the executive board of the Amsterdam Federation want to create a secretariat or bureau to look after the women's interests. This is largely due to the splendid initiative and enthusiastic support of the American group in our federation, for without them we should not be where we are to-day.

DISCUSSION

The CHAIRMAN. Miss Anderson has certainly given us a world view, an international view, and it is especially interesting as representing the expression of the working women themselves. This group of women who are engaged in enforcing State laws, State legislation for women, are very often accused of trying to do something that the working women themselves do not want—are not in favor of. I think the report of the congress of the International Federation of Working Women shows clearly that the working women of the world, and the working women of America especially, are in favor of the particular kind of legislation we are working for and enforcing wherever it has been obtained, especially that in regard to the question of equal rights. This is a very definite, clear expression of the stand of the working women of America—that is, the organized working women of America—on this question, and it brings out very clearly the difference between American working women and the European working women on this question of equal rights. It might not be desirable to consider any resolution from this group on this question, because we are so closely connected with the enforcement of this law, that perhaps an expression from the outside, from the working women of America to the working women of the world, would have more weight than an expression from us.

The question, though, is one which has been uppermost in the United States. Because the equal rights amendment was introduced by a Senator from my own State I feel privileged to say something concerning it. We feel that the question has subsided for the present at least, that there is no immediate need for action so far as Congress is concerned, but if any woman or man here wishes to express an opinion in regard to this action of the congress of the International Federation of Working Women or any other matter brought out by Miss Anderson's paper we will be glad to hear from her or him.

Mr. WILCOX. I am just wondering whether or not this gathering is fully acquainted with the existing situation regarding the so-called Wisconsin blanket provision, and whether or not I ought to say just a word or two with respect to it, so that at least this group will have an understanding of what we in Wisconsin have thought regarding the matter.

The so-called blanket provision in Wisconsin declares that the rights of males and of females shall be the same under the law, with the one exception that it preserves the so-called welfare legislation, like minimum wage and hours for labor for women, and those other legislative provisions which have to do with the preservation of the health and welfare of working women. I do not think that character of legislation is very safe for States. I want to be perfectly frank about it. I do not think, generally speaking, that that is a safe plan to follow, if what we are concerned about is the preservation of the so-called welfare laws. While the matter was pending before the legislature, we had little doubt as to whether or not we could depend upon our courts to construe that language properly. We did not interest ourselves particularly in that phase of the legislation, as we felt that it was perfectly safe in our State, that our courts had declared themselves a number of times in favor of this type of legislation,

and that we might trust them to continue their interpretation and to preserve such laws as the legislative act intended should be preserved. The question was raised as to whether or not clause constructions by the courts might not break down some of this legislation. We thought that was not likely to occur and our conclusions in regard to that have been borne out, because our courts have passed upon the law and have distinctly declared that all that type of legislation is not affected by the equal rights provision. But, as has been suggested, there is the danger of courts putting close or strict constructions upon legislation like that, and perhaps beating out some of the things actually intended to be preserved. You have to take your chance. We took it in our State and our confidence in our court was borne out.

I often wonder whether the women want all they claim they want. I want them to have all they think they ought to have, but there are a lot of things which are made law by the equal rights declaration which I do not think are good for women. I raise the question whether or not a woman ought to be bound by her contract with her husband, when about all she is asked is, "Just put your name here." I think the husband is apt to overreach his wife, to prevail upon her to sign away her property interest when she ought not to. She ought to be protected in those things. So I am not a convert all along that line. I do not think you want some of these things, but then that is for you to declare. I just wanted this group to know what I thought with regard to blanket welfare legislation.

Miss PETERSON. Mr. Wilcox, is there not a difference between the Wisconsin law and the amendment to the Constitution? That is very important, too.

Mr. WILCOX. I am out and out opposed to this constitutional amendment, to the provisions it contains.

Miss JOHNSON. I am going to ask Mr. Wilcox if the Wisconsin law does not provide for such a proposed blanket amendment to the constitution.

Mr. WILCOX. That amendment does not provide for minimum welfare legislation and the Wisconsin law does make that provision.

Mr. STEWART. So far as that conflict is political, I do not think this association has any business to handle it at all. I can not but wonder how much industrial cussedness there is behind it, the political side of it. After all, laws for the protection of women are a whole lot deeper than our industrial questions. Of all the pieces of pettifogging that ever went into the reports of the Supreme Court, the statement by one of the judges of the Supreme Court that because women had been given the vote this special class of legislation should be declared unconstitutional, I think was about the most contemptible. One of the other members of the Supreme Court told what he thought about that kind of rot better than I can. After all, the reasons for legal protection for women is because they are women.

The women of to-day are going to be the mothers of the men of this country, and such legislation is a blame sight more important for society as a whole than it is for any industrial phase of the nation, or for the women themselves. Legislation for women goes too deeply into our very social existence to be kicked around as a football of politics.

I was in Boston when the question of voting on the liquor question came up. I heard there the speeches of a number of women who were going around in automobiles which cost eight to ten thousand dollars apiece; they were preaching human liberty—liberty to get drunk, and so on and so forth. I doubt whether there was a woman in the bunch whose clothes did not come from the dividends on brewery stocks.

When you see these women who do not want any special legislation, any protection for women at all—"let us stand on our own feet"—it looks to me as though they had never done a day's work in their lives. To my mind, the whole thing is simply the talk of the employers' wives to break down protective legislation, so that their husbands can get cheaper labor and longer hours and that sort of thing.

It seems to me that that is all there is to it, and I do not believe that society, which is far more interested in this legislation than you women are individually, is going to stand for very much of that sort of thing. To my mind, the question of protection of women is industrial legislation only on its surface. Way down deep it is social legislation that ought to and will stand regardless of what this association does.

The CHAIRMAN. We will go on to our next general subject. We are going to take up the laws themselves, how they are being administered, how they are working in the different sections represented by the association—the general subject of problems arising from enforcement of minimum wage laws and hour laws. We have as the main speakers on our program representatives from three general sections, Massachusetts, Canada, and the Pacific Coast, and then we want to hear from all other sections on the question of legislation and administration.

We are going to start with Massachusetts, because Massachusetts usually starts things. It started the minimum wage legislation, and it seems to have the faculty for going so far and keeping its ground, holding it very firmly. There are times when some of the rest of us who are spurting ahead have to sit back a little, and we may yet have to take the Massachusetts stand.

We will hear from Miss Ethel Johnson, assistant labor commissioner of Massachusetts.

PROBLEMS ARISING FROM THE ENFORCEMENT OF THE MINIMUM WAGE AND 48-HOUR LAWS OF MASSACHUSETTS

BY ETHEL M. JOHNSON, ASSISTANT COMMISSIONER MASSACHUSETTS DEPARTMENT OF LABOR AND INDUSTRIES

HOURS OF LABOR

This discussion of the subject of enforcement of hour and wage legislation will be confined to the problems arising in Massachusetts in the case of the minimum wage law. The scope will be extended somewhat to touch on some of the results as well as some of the problems, since the two are closely related.

There are naturally more problems connected with the enforcement of recommendatory legislation like the Massachusetts minimum wage law than with the enforcement of mandatory legislation like the 48-hour law.

At the present time there is strong interest in both measures. Massachusetts is now the only State with a recommendatory minimum wage law; and until two weeks ago was the only eastern State with a 48-hour law. It will have a neighbor in Rhode Island, however, unless the courts should find some flaw in the action taken by the legislature of that State on May 9. The attorney general for Rhode Island has already ruled that the action is legal, and that the measure signed by Governor Flynn is valid.

Massachusetts is fortunate in having few serious problems connected with the enforcement of the 48-hour law. This is partly due, no doubt, to the fact that the law went into operation at a time that was particularly favorable for its adoption, the period of business expansion following the close of the war; partly also to the act that there was a well-developed system of inspection prior to its enactment; and partly to the somewhat elastic provisions of the law itself. Although the weekly limit is 48 hours, a daily maximum of 9 hours is permitted in all of the occupations covered, and a daily maximum of ten hours in the case of hotels, thus allowing alternate long and short shifts. In the case of manufacturing industries declared seasonal by the department of labor and industries, the weekly limit may be extended to 52 hours, provided the weekly average worked for the year exclusive of Sundays and holidays does not exceed 48 hours.

Of the existing problems connected with the law, one is common to every State having such legislation. This is how to secure evidence regarding violations without requiring the testimony of the employees affected and thereby endangering their positions. To a certain extent, the law itself provides for this by requiring that every employer in the occupations covered shall post a record of the hours of his female employees, giving the time of beginning and ending work, the time allowed for meals, and the time the meal period begins and ends, so that employment at times other than those posted is prima facie evidence of violation. By arranging the inspection of establishments where violations are suspected shortly before or shortly after the scheduled hours, overtime can usually be detected without involving the employees.

A special problem which is perhaps confined to Massachusetts has resulted from there being no definition of the term "week" as used in the labor laws. In an opinion recently given the attorney general holds that, in the absence of such definition, the term "week" must be construed to mean a calendar week. The result of this opinion is that while it is illegal to require women to work more than 48 hours in a week beginning on Sunday, it is apparently legal to require them to work 55 hours in a week beginning any other day. Fortunately the law providing for one day's rest in seven practically precludes the application of this ruling outside of hotels, restaurants, and drug stores, and even in the establishments where it is applied, the long week must be followed by a short week, so that not more than twice 48 hours are worked in a period of 14 consecutive days.

Perhaps the most important problem connected with the enforcement of the law is that arising from the practice in certain seasonal industries of employing the same women in more than one establishment during the period of maximum production. The law specifi-

cally states that in the case of such employment, the total hours worked in all of the establishments shall not exceed the legal limit.

In connection with the prosecution of violations resulting from this practice, the court has ruled that the last employer is responsible for ascertaining whether the women he employs have already worked on that day or week such number of hours as would make their employment by him illegal.

It is very difficult to detect violations of this nature. It requires night inspections, questioning employees, and sometimes checking up from one establishment to another. At the present time the practice is confined to a few industries. It is not possible in the largest woman-employing industry in the State—the manufacture of textiles —since the existing night-work law prohibits the employment of women in such establishments after six o'clock at night.

Among the serious results that would be likely to follow the repeal of the night-work law for textile mills and the introduction of the two-shift system, are increased violations of the 48-hour law, and greatly augmented difficulties of inspection. Some idea of the far-reaching effects of such a change can be gained from the numbers involved. Women and children make up the majority of the operatives in the mills. There are more than 80,000 women and girls in the various branches of the industry, or approximately one-third of all of the women industrially employed in the State.

The attempts to repeal the night-work law this year as in previous years have failed, as have the attempts to repeal the 48-hour law. To a certain extent the introduction of repeal bills, especially those relating to the 48-hour law, may be intended as a protest against further reduction in hours by legislation. Many employers who do not personally object to the 48-hour limit fear that its acceptance is paving the way for more and more radical restrictions upon working hours, with no reasonable end in view.

It is possible that some who support such measures may do so in the hope of defeating similar legislation pending in other States. Such a policy is shortsighted and detrimental to the interests of those who advance it. What is needed by industry as well as by wage earners is greater uniformity in the labor laws of all the States. The enactment of 48-hour legislation in States that compete with Massachusetts would be of distinct advantage to this Commonwealth. Far more good would be accomplished through working to secure such uniform regulations for industry than through efforts to remove the existing regulations from the Massachusetts statutes.

MINIMUM WAGE

Turning now to the minimum wage law, what are the problems connected with its administration and enforcement. Obviously, one of the most serious problems is how to secure compliance when the law does not provide the customary sanctions for enforcement. Another and closely related problem is how to overcome the misconception and prejudice that still surround legislation of this nature. Few laws have been more generally misunderstood than the minimum wage law, and few laws are more dependent for their successful operation upon public interest and public understanding than is the minimum wage law. This is especially true of the Massachusetts law

which is recommendatory in so far as the wage decrees are concerned, and which rests for its enforcement upon public opinion.

The Massachusetts law differs in two important respects from the minimum wage laws of other States. In the first place, the wage decrees are nonmandatory; that is, they carry no penalty for noncompliance other than publication of the name of the firm that fails to comply. In the second place the wage boards, before making their recommendations as to the minimum rate of wages, are required to take into consideration the financial condition of the industry as well as the needs of the woman workers, which means that they may, and sometimes do, report determinations below their findings as to the minimum cost of living.

The law has sometimes been criticised as having no teeth. This, however, is not the case. Through a series of amendments the original law has been materially strengthened. Although the wage decrees are still recommendatory, certain provisions of the law are now mandatory and carry a penalty for noncompliance. These are the provisions requiring the posting of the commission's notices relative to wage boards and wage decrees, the keeping of records regarding the wages of woman employees, and the opening of these records to the inspection of the commission and its authorized agents. The fact that these provisions are mandatory helps to secure compliance with the wage decrees. The main factor, however, in the enforcement of the law is the influence of public opinion. The commission is much more than a fact-finding body. It enters decrees fixing minimum rates of wages based on the recommendations of its wage boards, thereby giving the sanction of the State to the principle of a living wage.

During the 11 years the law has been in operation, decrees fixing minimum rates for woman workers have been entered for 17 occupations. These occupations employ something like 80,000 women and girls, representing approximately one-sixth of the women gainfully employed in the State. The existing rates range from $10 to $15.40 a week. The majority of the decrees, however, provide minimum rates of $13 to $14 a week.

The questions that naturally arise are: What has been the effect of these decrees? Has it been possible to secure compliance under a recommendatory law? Have the decrees resulted in any real improvement in wage conditions?

With regard to wages, here are a few "before and after" pictures. In connection with these figures, it should be remembered that they show merely changes in the level of wages and do not indicate compliance or noncompliance with the decrees. This is because the minimum wage is usually for an adult experienced woman and the wages quoted are for all women and girls in the occupation irrespective of age or experience. Moreover, they are taken from the inspection records and show the wage situation at the time of the inspection and not after all of the adjustments that it has been possible to effect have been made.

With this explanation, let us look at the wages of laundry workers. In 1919, in general a high-wage period, nearly nine-tenths of the women working in laundries in Massachusetts had rates under $13 a week. A decree establishing a minimum rate of $13.50 for experienced

women became effective July 1, 1922. Inspection directly following this showed that only one-third of the women, including the inexperienced workers, had rates below $13 a week.

Of the girls employed in retail stores, nearly four-fifths in 1919 had rates under $14 a week. A decree establishing a $14 minimum rate for adult experienced workers was entered. The following inspection showed that less than one-third of all the women and girls employed, without regard to age or experience, were receiving under $14 a week. Another interesting fact is that while before the decree became operative less than 7 per cent of the women had rates of $15 and over, after the decree became operative, nearly 50 per cent had rates of $15 and over.

Another group of women that in the past has received very low wages is made up of the women who clean office buildings. In 1920, before the present decree went into effect, more than four-fifths of these women had rates under 36 cents an hour. The following year, after the decree became operative, only one-fifth had rates below 36 cents an hour.

The figures for office cleaners are interesting for another reason and that is because office cleaning is an unskilled occupation. Some of those who oppose the minimum wage claim that the minimum rate really keeps wages down and that the minimum becomes the maximum. If this were true of any occupation, it would certainly be true of the occupation of scrub women, which makes no requirement for skill or experience. Yet this is not the case. On the contrary, one of the results following the entrance of the minimum wage decree was the increase in the proportion of women receiving a rate above the minimum. In 1920, for example, less than 14 per cent of the cleaning women had rates of 38 cents an hour and over. The present decree, it should be explained, provides a minimum rate of 37 cents an hour. In 1921, nearly 35 per cent of these women had rates of 38 cents an hour and over.

Has there been compliance with the decrees? This question is of importance because of the nature of the Massachusetts law. There has been compliance to a very gratifying extent. The great majority of the employers in all of the occupations covered by decrees have accepted the recommendations and are cooperating with the commission in carrying out their provisions.

It is true that it requires more time and effort to secure adjustment of noncompliances under a recommendatory law—inspection, reinspection, follow-up letters, individual and group conferences with employers and officers of employers' associations. The result of such effort, however, in bringing about a better understanding of the purpose of the law, and securing a spirit of cooperation among employers is distinctly worth while.

Approximately 75 per cent of the employers in the occupations under decrees make all necessary adjustments so that full compliance is shown at the time of the commission's first inspection following the entrance of the decree. A large part of the remaining cases are adjusted in the manner previously described. This result is accomplished because most of the employers are fair-minded and wish to do the right thing when the right thing is brought to their attention. It is accomplished also because the decrees are based to a large extent upon the unanimous, or practically unanimous, recom-

mendations of the wage boards, made up of employers and employees in the occupations in question. Finally, there has been compliance because the decrees rest for their enforcement upon what, after all, is the most potent influence in the world when it is effectively organized—the force of public opinion.

The few employers who it has been necessary for the commission to advertise as not complying with the wage decrees represent a very small proportion of the employers in the occupations in question. The first time that the commission published noncompliances was in 1921. That year 11 paper-box firms and one office-building establishment was advertised. The next publication of this nature was in 1923. That year the commission advertised 1 women's clothing factory, 1 muslin-underwear factory, 3 paper-box factories, 22 laundries, and 54 retail firms, which with their branches total 149 establishments. In the case of the laundries, they represent 6⅔ per cent of the inspected firms employing women; in the case of retail stores, 9 per cent. And even here the proportion is much larger than would probably have been the case had there not been a general impression that injunction proceedings restraining the commission from advertising any firms were to be instituted. This year the commission has advertised one firm under the minor lines of confectionery decree.

There is much interest in the Massachusetts law at the present time. One reason for this is that Massachusetts is the only State with a recommendatory law. Since the supreme judicial court gave its opinion declaring unconstitutional the mandatory law of the District of Columbia, it has been felt by many that the Massachusetts law is perhaps the only form of minimum wage legislation that the court as now constituted would uphold.

Another reason for the interest is that President Coolidge, in his message to Congress last December, recommended legislation for the District of Columbia similar to the Massachusetts law. This recommendation is of especial significance, as the Massachusetts law was enacted while President Coolidge was a member of the legislature, and was in operation during his term as chief executive of the Commonwealth.

The results achieved under the Massachusetts law would be creditable under a mandatory law. Their accomplishment under a recommendatory law is the more significant. They have been secured, moreover, under very serious difficulties, which though not by any means inherent in the law, have constituted the gravest problem in connection with the operation of the law.

Massachusetts was the pioneer in this country in minimum wage legislation, and it had to pay the penalty of all pioneers by bearing the brunt of the opposition. From the first, constant attacks upon the law and its administration have impeded the work. Necessary appropriations were withheld. The commissioners served much of the time without compensation, and valuable agents were lost because the salaries for inspectors were and are pitifully low. The work of the wage boards was blocked. Attacks were made on the legal authority of the commissioners. Perfecting amendments needed to enable the commission to perform its duties were refused, and bills to repeal the law or to hamper its administration were introduced. The constitutionality of the law was tested in the courts. After the

supreme judicial court handed down its opinion upholding the constitutionality of the law in its essential provisions, the minimun wage commission was abolished and its functions transferred to the board of conciliation and arbitration of the department of labor and industries.

Attempts to repeal the law were renewed, and finally a special legislative commission was appointed to investigate the operation and effect of the law and recommend whether it should be amended or repealed. After a searching inquiry extending over a period of several months the commission reported, last year, recommending that the law be continued in its present form and given a fair trial.

What constitutes a fair trial for a law like this? For any law, of course, the first and foremost requirement is honest, intelligent, impartial administration and enforcement. That is axiomatic. Then as a correlary to this, there should be adequate appropriations to provide for conducting a reasonable program of work, and a staff of competent, responsible employees to perform the work. In the case of a measure like the Massachusetts law, which depends for its effectiveness upon public opinion, most essential of all of the requirements is public interest and public understanding, since it is only through intelligent and effective public interest that the other necessary conditions can be guaranteed.

DISCUSSION

The CHAIRMAN. Miss Johnson has, I think, opened up the whole field of legislation for women for discussion. Since Massachusetts is now alone in the nonmandatory class, I am not certain whether a full discussion of the subject of the minimum wage can be carried on until we take up the other forms of minimum wage legislation. If there is any question you would like to raise in regard to the Massachusetts law I will be glad to have you do that now.

A VISITOR. There is one question I should like to ask Miss Johnson. Has any ruling yet been made on the textile interests in Massachusetts?

Miss JOHNSON. No wage decree has been entered. The commission made an investigation with relation to wages in 1916 and 1917, but no wage board has been established for that purpose. There was another reason for failure to establish a wage board at that time. That was the period of rising wages during the war, which affected the textile industries very strikingly, so that a wage board was not formed at that time and none has since been formed.

A VISITOR. Do you think that if the law had been mandatory there would have been greater possibility of forming a wage board?

Miss JOHNSON. I do not think that would have affected the situation to any extent.

The CHAIRMAN. Is there any question you would like to ask in regard to the 48-hour law of Massachusetts?

A VISITOR. I would like to ask Miss Johnson under what condition a wage board is established.

Miss JOHNSON. Where employees are receiving wages inadequate to meet the cost of living and protect health, the commission makes

a preliminary investigation, and from that investigation determines the advisability of establishing a board.

A VISITOR. Do you find the establishment of a wage board for each industry adds to the expense and difficulty of administration?

Miss JOHNSON. Having separate wage boards does increase the expense and the administrative problems of the commission. The reason for requiring separate wage boards is to give adequate representation to the different occupations. The law requires that boards shall be established for the separate occupations, although it gives a certain leeway to the commission in determining the scope of an occupation. Under the recommendatory law it is certainly advisable to have the present form continued, because it means greater interest on the part of the industries when each has its own representatives on the wage board. At the present time each occupation considered for a wage board has a representative of the employer named by the employer, a representative of the woman employees named by the woman employees, and a representative of the public, and it is upon the determination of that wage board that the wage decrees are entered. The commission has no authority to change in any way the findings of the board.

Mr. ANDREWS. May I ask Miss Johnson whether under the present Massachusetts law there has been at any time sentiment expressed favorable to a mandatory law?

Miss JOHNSON. There has been interest in securing mandatory minimum wage legislation in Massachusetts. A bill to that effect was introduced by the present department of labor and industries in 1922, the result of which was the introduction of a number of bills attacking the law and seeking its repeal. Instead of acting upon any one of the measures the legislature appointed an investigating commission. The majority of the commission reported, as I told you, recommending that the law be continued in its present form. The minority report recommended that the law be made mandatory, and a strong effort was to have been made in the house to secure the adoption of the minority report. The report, however, came out just at the time when the Supreme Court of the United States declared unconstitutional the mandatory law of the District of Columbia. So it was felt inadvisable to make further efforts to secure a mandatory amendment.

Mr. ANDREWS. When the Massachusetts body administering the law urged that the type of law be changed to the mandatory form, what argument did it present in favor of the change?

Miss JOHNSON. The reason presented for a change was greater ease in administering the law, because while a majority of the employers do comply with the recommendatory law, there are still some who might not be amenable to public opinion, and it is to enforce the law in such cases that mandatory provisions are necessary.

Mr. DAVIE. Taking the textile and boot and shoe industries, has any group in those industries ever come before your board to establish rates, that is, any department like spinning or weaving, or boots and shoes, and so forth?

Miss JOHNSON. There has been no request, so far as I know, from any representative of the boot and shoe industry. I do not think

that is surprising, because the industry is highly organized. The union rates are in effect, and they are doubtless higher than any minimum rate which would be entered. In the case of the textile industry some individual members have spoken about the desirability of having a wage board established.

Mr. DAVIE. That is just the thought I wanted to bring out. One of the great troubles with the women, as I found it, is that they are unorganized. I expect that in Massachusetts, as in New Hampshire, the best organized women get better rates than those established by the minimum wage law.

Miss JOHNSON. That is perfectly true. That is one of the reasons for the existence of any form of protective legislation. A great majority of the women are not organized and can not be organized under present conditions. There are a few women who are organized, but they are comparatively few in number, and until there is a larger number, until the women are more effectually organized than at the present time, there will be the necessity for continuing the minimum wage law, and the 48-hour law, to establish through the protection of the State what the women themselves are unable to establish.

The CHAIRMAN. Are there any other questions in regard to this particular form of legislation in Massachusetts? Our next general section to be heard from is Canada. Canada is different, of course, in some respects in its minimum wage situation. Perhaps I should not have used the word "situation." There are no Supreme Court and decisions of the Supreme Court there to consider. We would like to hear from Thomas M. Molloy, Commissioner of the Bureau of Labor Statistics of Saskatchewan, as to what is being done in Canada in legislation for women.

PROBLEMS ARISING FROM THE ENFORCEMENT OF MINIMUM WAGE LAWS

BY THOMAS M. MOLLOY, COMMISSIONER SASKATCHEWAN BUREAU OF LABOR AND INDUSTRIES

The administration of any labor law carries with it a number of problems, but the problems in the administration of the minimum wage law are, to my mind, somewhat different from the ordinary problems of labor-law administration and at the same time present situations with which it is difficult to cope.

Under our act the board is empowered to make regulations setting forth the maximum hours, minimum wage, and general working conditions of the persons affected by the act. In the hearing of evidence upon which to base these regulations, we began to realize that both employers and employees were reluctant to cooperate with the board in as full measure as the board had a right to expect, and that as a result the administration of the regulations would undoubtedly be difficult.

In the taking of evidence we found it almost impossible to have female employees directly concerned in the regulations appear before the board to give evidence. The employees were almost invariably represented either by business agents of unions (frequently not affected by the act) or by women representing charitable organizations or women's associations. The evidence given by such persons

naturally was largely theoretical or, to say the least, hearsay. On the other hand, employers hesitated to give evidence, apparently feeling that to appear before the board asking for a reasonable minimum wage might be construed by the buying public as an effort on the part of the individual employer to reduce the wages of his employees, the result being that employers were largely represented by the secretaries of employers' associations.

This attitude, both on the part of the employer and the employee, which was evinced in the drafting of the regulations manifested itself in a more marked degree when it came to the administration or enforcement of the minimum wage regulations.

In the smaller stores and restaurants cases are by no means rare where the employee connives with the employer to accept a lower rate of pay than that provided for by the regulations and to assist the employer in deceiving the inspector as to actual conditions. In a number of such cases the employer, either by slipshod methods of keeping accounts or by actually faking pay lists, supported by the falsehoods of the girl to the inspector, succeeds in evading the law until the employer and the employee have a disagreement, resulting in the employee losing her position. In such cases the employee immediately complains to an inspector. If the case is taken to court and it is established that the violation was made with the connivance of the employee and that the complaint was laid largely as a matter of spite, the employee naturally does not receive much sympathy from the magistrate who hears the case.

In shops, stores, and factories, where the institution is of any size, the management of necessity has a modern set of records and a well-regulated system covering employees' wages and hours of labor. In these places practically no difficulty is met with in enforcing the regulations. There are, however, hundreds of smaller places of business where the employer does not keep a complete record and where the number of employees is small and continuously changing and where the hours to be worked may be frequently altered. These are the places that present the greatest problem to us in the enforcement of our minimum wage regulations.

Another class of employment which presents many problems is the hotel and restaurant trades. In the hotel trade especially the chambermaids or upstairs girls apparently have no definite hours of employment. These girls are under the charge of a housekeeper, and the number of hours during which the girls are employed each day seems to be controlled by the whim of the housekeeper or the amount of work necessitated by the condition of trade of each particular day. The housekeeper is herself an almost unanswerable problem, simply for the reason that she is an employee within the meaning of the act and at the same time is an employer in the sense that she engages the girls, determines their hours, and is largely responsible for the amount of their wages. It would seem to me that nothing short of a punch-clock system will ever secure for the minimum wage inspector any accurate idea of the actual hours worked by upstairs girls in the average city hotel.

Another knotty problem is the setting of wage rates for apprentices in the different trades, and determining the periods to be served by such apprentices. It is recognized that an employee may work at less than the minimum wage in order to learn a trade. If this rate

is set too high it has a tendency to limit the opportunities to learn a trade, since employers will not pay more in wages than business will warrant; if too low it permits of exploitation. With regard to the length of apprenticeship periods, this varies with every trade and even varies with different operations within a trade. These matters will take time and painstaking experience to adjust.

Undoubtedly the great underlying cause of many of our problems is the lack of information on the part of the general public as to the true objects of minimum wage legislation. Too many persons have the impression that the minimum wage is a "fair" wage and is the standard at which practically all females in the occupations concerned are to be employed. If the public realized that the minimum wage was exactly what its name implies, and that the greater percentage of employees receive a much higher wage, then I think that employers would be more willing to appear before the board and assist in determining a reasonable minimum rate.

While I am supposed to deal only with the problems arising out of the administration of minimum wage laws, nevertheless, I do not want to leave the impression that all of our administrative experience is embodied in the foregoing recital of trials and perplexities. There is always evident in our work of enforcing the law the improved conditions that such laws have brought to the lot of the female workers generally. The benefits of shorter hours, better sanitary and hygienic surroundings, and the prevention of near sweatshop conditions so greatly outweigh the problems of administration that one is forced to the conclusion that minimum wage laws are absolutely necessary for properly safeguarding the health and morals of the large numbers of young girls and women who by reason of our present economic system are forced into the commercial life of our communities.

DISCUSSION

The CHAIRMAN. Is there any discussion on this matter of the enforcement of legislation for women? Mr. Molloy has touched especially upon the difficulties in enforcing the law.

Doctor ANDREWS. Does the Saskatchewan law provide that the commission may regulate the hours as well as the wages? I understand the Ontario law provides for legislation on wages but does not give the power to regulate hours.

Mr. MOLLOY. Our law gives the board authority to regulate hours, wages, and working conditions, and the board has interpreted the term "working conditions" to mean sanitary conveniences and things of that kind. We have three subjects—

Miss JOHNSON. I would like to say that the Massachusetts wage board is not limited to two representatives. The size of the board is dependent upon the discretion of the commission. The law simply prescribes that there shall be an equal number of representatives of employees and of employers, and that the number of representatives of the public shall not exceed half of the representatives on either side. I want to ask Mr. Molloy if the law requires that the sessions of the board be public, or is it possible to have those sessions in private?

Mr. MOLLOY. That is at the discretion of the board. It generally holds public meetings, but can have private hearings.

Miss JOHNSON. I wondered if it might not perhaps remove some of the objections to testifying before the board if the sessions were private. I also want to ask if you have the right to require employers to keep records of the wages paid their employees, so that you can get from them the facts as to compliance and noncompliance, or do you require testimony of the employees?

Mr. MOLLOY. We require the keeping of records, but the difficulty is in enforcing that provision, especially in restaurants run by Greeks o Chinamen or Germans or Frenchmen; frequently the only book is kept in the proprietor's hip pocket, yet it is a record.

Miss BLANDING. I would like to ask what the distinction is between the 48 and the 51 hour time for restaurants and hotels?

Mr. MOLLOY. Simply the basis of six and of seven days a week. Some restaurants are open six days a week and some are open seven days. Those that are open seven days a week have an allowance for an extra three hours. It is a choice with them whether they open six or seven days. If they are open six days they can not work more than 48 hours. If they are open 7 days a week then they can not work more than 51 hours.

Doctor ANDREWS. In the case of the seven days a week, do those employees have one day of rest in seven? I understand that is provided for in some of the other Provinces.

Mr. MOLLOY. I think so. In Manitoba they have a provision for half a day a week. We do not have that provision. We have no provision for one day's rest in seven or anything of that sort.

Doctor ANDREWS. What suggestions are commonly made in Saskatchewan for the improvement of your minimum wage law?

Mr. MOLLOY. You mean from the public?

Doctor ANDREWS. I mean particularly with reference to protection by legislation or improvements in the administration of the act.

Mr. MOLLOY. The principal recommendations are from trade-unions and organized bodies of women, which endeavor to have the board set a wage which would be more like a fair wage than a minimum wage. Their idea apparently is that the minimum wage as determined by the board should cover not merely the cost of existence, but sufficient over and above that for what the girl may want to do extra or to improve herself. There are those, however, who think the wage is too high. It is now $15 a week, while in Manitoba it is $12 a week and in Alberta it is $12.50. We have complaints from some people that when a girl is paid $15 that is the utmost she can get. If that is true, that minimum is too high.

Doctor ANDREWS. Do any employers in Saskatchewan suggest that if you had a national or uniform law they would be quite willing to have minimum wage?

Mr. MOLLOY. We have the condition, for instance, that some of the larger houses are operating branch houses at other places—one house may be in Manitoba and the other in Toronto. The girl working in the Manitoba store is paid only $12, and here we pay $15. The

result is that where employees are transferred from one place to another there is often trouble and dis atisfaction. Make a uniform law and we will get rid of that complaint.

Miss PETERSON. Does it cost any more to live in Saskatchewan?

Mr. MOLLOY. I do not think it costs any more.

The CHAIRMAN. Any more discussion?

Mr. MOLLOY. When our board was first constituted, the question came up as to whether or not there should be a different minimum for girls under 18. The claim is advanced that a lot of trades have apprentices, and therefore the girl under 18 is not entitled to the same wage as the girl over 18. This same question, as to whether or not there should be a different standard of wages for the girl under 18 than for the girl over 18, was asked at the last meeting of the board. If there are any States where you have had experience of that sort, I would like to hear from you.

Mrs. JOHNSON. We have minor's wages, but our minor employees are very few. Most of our employed minors are boys. Of the large mail-order houses, Sears, Roebuck & Co.'s average is $16.22; I have just checked their pay roll. They have 600 people, and 4.3 of their average are minors; they have no apprentices.

Miss SCHUTZ. In Minnesota we have a difference in the period of apprenticeship. For some we have 9 months; for others, those 18 years or over, 6 months' apprenticeship.

Mr. WILSON. I would like to hear from some of the States which have put into effect in hotels and restaurants the straight six-day law or rule, the one day of rest in seven for all employees as to how it operates.

The CHAIRMAN. Are there any States which have?

Mrs. JOHNSON. In my State the only industry we have any trouble with is the public housekeeping. Some of them work the girls seven days a week. Our law makes no allowance; it has no flexibility at all—it is 8 hours a day, 48 hours a week, a 6-day week. Our restaurants and hotels are the only ones we have trouble with now on that 6-day week. We find that compliance in hotels which employ more than three people is a great deal better than in those where they employ no more than three.

Miss BLANDING. It means when hiring an extra person for that time, she must be employed for full time. In most of these towns it is almost impossible to get women for one or two days' work a week unless married womer who wish to earn a little extra money are employed. That is wher our trouble comes in, because as the law is worded it means a drag on the smaller employers where the business does not warrant another worker, and when looked at in another light it does not warrant the employee doing the extra work; still we have no other possibility—

Mr. WILCOX. Does the minimum wage law apply to hotel and restaurant employees?

Miss BLANDING. Yes.

The CHAIRMAN. Miss Hannigan, will you tell us something about the Kansas order?

Miss HANNIGAN. On the 6-day-week order for hotels and restaurants we find a great many violations, and we have a great deal to contend with in the smaller towns, the order covering them also. Often the proprietor has just one cook in the restaurant, and we must insist on giving her the one day of rest in seven, although the proprietor may have only the cook and two dining-room girls. We are enforcing the order, and at this time we have filed cases. Our law also says these women can not work after 12 midnight or before 6 in the morning, which adds to our difficulty in enforcing the law in certain localities. The only thing we can do is to keep issuing orders, and keep after them, because the law says these women must have one day of rest in seven.

The CHAIRMAN. Our great trouble in Kansas has been that we have no minimum wage order with our restaurant order. A minimum wage was never set for the restaurant trade in Kansas, and for several years we had an order which permitted a 7-day week, of 8 hours a day, or a 6-day week of 9 hours a day, and we found almost all places in Kansas using the 7-day week. Occasionally a hotel or restaurant would give the girls one day off. In 1922 we put into effect a new order requiring one day of rest in seven. I thought there was a demand for it from the girls in the trade. Everywhere we heard that if the girls could have just one day off in a week they would be satisfied. In putting our order into effect we were not able to put the minimum-wage order into effect at the same time. One reason for that was that the minimum wage in Kansas was, especially at that time, lower than the minimum-wage rate in some of the other minimum-wage States, and it was very difficult to set a minimum-wage rate for the restaurants which would be fair to the girls. We were afraid that we would have to set a very low standard if we were to base it at all on the rates in other occupations which allowed for board, and so the minimum-wage rate failed to go through. When we came to enforcing the law the employers wanted to take out one day's pay when the girls had their one day's rest, and we could not always prevent it. We did everything we could to show the employers that there was no real necessity for doing that, that it was unfair because the wage rates were low anyway, but we did not succeed in every instance. We are finding in our operations that the majority of the girls want the one day of rest, even at the expense of the wage. They have said to us over and over again that they make up for that in other ways; that they are able to save through having a little leisure time to take care of other things, although a few of them have caused trouble by criticism of the law and protest at its enforcement, because they claim that there is injustice when the wage is lowered.

Mr. LOVEJOY. I should like very much to have some of these officials who are experiencing that particular kind of trouble recommend, if they can, to this conference what change in the law, if any, is necessary to meet the situation. The problem of the hotel and restaurant is a most serious one, and it takes a great deal of time and attention to enforce the law. Is it because the law is wrong, or is it because people have the incurable habit of eating away from home—what is the trouble? If we could get some recommendation I think it would be very helpful to us.

Mrs. McRAVEN. In Arkansas we have a 6-day week for hotels and restaurants, and, as in other States we have a great deal of difficulty in enforcing this law. The industrial welfare commission has been petitioned by the hotel men's associations to make a ruling allowing them to spread the 54 hours a week over 7 days. This permission was denied, however, because the commission felt that women working in hotels and restaurants and drug stores and refreshment stands and any other eating houses were women just the same. For my part I happen to be a working woman, and I can view this thing through the working woman's eyes. I know that if I did not have one day out of seven I should be greatly inconvenienced. For that reason, as a member of this commission I am standing pat for a 6-day week for wage-earning women. I do not know how it is going to come out. We are having a great deal of trouble, but I know the law can be enforced. Some of the largest hotels in Arkansas put on extra help every six days and in that way relieve the girl. It is a matter of educating the employer up to the necessity of it. One hotel man told me that he himself would not work at an occupation which took 8 and 9 hours of his time seven days a week, nor would he permit his colored chambermaid to do it. It is just a matter of the officials standing up for the rights of the women, and as a member of that commission I am standing up.

The CHAIRMAN. Are there any other questions or any discussion on this question of the six-day week in restaurants?

Miss BLANDING. The lady from Arkansas speaks only of hotels which have seven or more woman employees. The most difficult problems are those with relation to small institutions where there are only one or two or three employees.

Mrs. McRAVEN. Usually in the small hotels employing one or two employees the woman of the house can relieve for the necessary time, or another woman can be hired.

Miss BLANDING. What about the woman who is the wife of the proprietor who hires only two or three girls—she works perhaps 9 or 10 hours a day.

Mrs. McRAVEN. I think that is your problem. I am enforcing the law.

Mr. MOLLOY. Our experience shows this situation: The girls go on duty at a certain time and there are many days when they are through at 1 o'clock in the day, while again they may be working until 2 o'clock in the afternoon. Each day is different. How do they know whether these girls work 48 hours a week?

The CHAIRMAN. Mrs. Johnson, what do you do out in Washington?

Mrs. JOHNSON. The law has given us the power to inspect the books of all industries employing women. All industries employing women have to keep a complete record of the names, addresses, payroll, time books, and we are allowed——

Mr. MOLLOY. Say the traffic is very heavy and the place is crowded?

Mrs. JOHNSON. We have a provision women can work for seven days a week in places in small towns where the employers can show absolutely that they can not get extra help. They have to give a woman four days a month rest anyway.

Mr. WILSON. In answer to Mr. Molloy's question, practically all the upstairs girls are assigned so many rooms. They have to take care of that number of rooms whether the traffic is heavy or light. A certain number of girls may be on the pay roll all the time. The girls have to take care of the rooms regardless of the traffic.

The CHAIRMAN. Mrs. Evans, I feel quite sure that you could say something in regard to enforcement in Oklahoma, especially as to how you get information in regard to conditions.

Mrs. EVANS. In places where I stop I make friends with the chambermaids. I always know the condition of the girls working at the hotel where I live. In many towns they have worked in other places, and the reason they did not then work there was because of the long hours, or because they did not like the conditions in the other place. If you will visit a little with the women and make friends with them, you will get a wonderful amount of information, as to the place they are working, the places where they have worked, and the places where their friends work. I learned early in the game that that was one of the very best ways to find out about conditions. As to the girls in Oklahoma who are chambermaids, we do not often find violations in their work. They are given a certain number of rooms, and if the rooms are used they may work a full day. As a usual thing the hotel provides a housekeeper. I always make friends with the housekeepers and have made some real, warm, lasting friendships with them. They give the girls a certain number of rooms. I have found that many times when traffic is not great the girls have the advantage. I do not believe that there is one girl in the hotels in the city of Muskogee who worked full time, and some days are always short days. In many places the housekeeper does what is necessary in the checking out at night, and so it is not necessary for some girl to come back. In fact I do not believe that we have as many problems among the hotel girls as you have in other States.

Miss HANNIGAN. I would like to know how many include the housekeeper in the hotel law. Is the housekeeper always excluded?

Mr. WILSON. The hotel housekeeper is the very hardest problem we have. Like all housewives, hotel housekeepers are hard to handle. The fact is that they seem to think the hotel can not run without them; possibly it can not run without a housekeeper, but no particular housekeeper is indispensable. We insist, so far as possible on observance of the law on the part of the housekeeper, but there is this condition: The housekeeper is not required to be on duty, is not required to take care of a certain number of rooms; she is more or less of a free-lance. A strict observance of the 6-day law on the part of the housekeeper I suppose is not to be found in the United States, because you could not get one of them to observe the law if you put her in jail every other day, so we just kind of overlook the housekeepers.

MR. DAVIE. I have been interested in this discussion, and would like to leave this thought with you. In going out under a labor law I think that we sometimes play up too much to the enforcement. It has always been my custom to try to administer the law first,

and to talk about enforcement as the very last resort. We must realize that all employers are human and all employees are human; so in order to get the best results we must approach them in a kind, human way. Speaking of hours of labor in restaurants, of course we have the 48-hour law. Our custom as to restaurants where there is a group of girls employed is to have posted in a conspicuous place on the premises the hours of labor of each girl, the time out for meals, and everything. I find that at times, the girls have woman inspectors who are not always truthful. Human nature asserts itself, especially in the restaurant and hotel work.

Another thing, nobody will find out about a law unless he is told about it in some way; it takes words to tell him about it. One of the worth-while things we have done in New Hampshire has been making these laws well known to the employees and employers whom they affect; that is, first of all we start some comprehensive campaign of education showing the human side existing between the employer and the employee. In so far as the restaurants are concerned, it has been necessary to enforce the law only on infrequent occasions. When you go to a man and try to administer the law, there are many times when, if you point out to him that you are there not to create any hardship but to see that an absolutely square deal is given to the employee and to him, you can get a much better result than you would by adopting another course. There are a few fellows, of course, who will not be dictated to by any State official. There is no use in talking to that person. You should take him right in and let him tell it to the judge. Let us make an honest effort, an earnest endeavor, to administer first and to resort to drastic methods only in extreme cases.

The CHAIRMAN. I think it is pretty well acknowledged that in women's work education comes before prosecution.

The chairman of the credential committee reported that the number of accredited delegates to the convention was 51, and that 48 had attended some of the meetings of the convention. The following States and Provinces were represented at the convention:

Arkansas.
Colorado.
Connecticut.
Delaware.
Georgia.
Illinois.
Indiana.
Iowa.
Kansas.
Kentucky.
Louisiana.
Maryland.
Massachusetts.
Minnesota.
New Hampshire.
New Jersey.
New York.
North Dakota.
Ohio.
Oklahoma.
Pennsylvania.
Texas.
Utah.
Virginia.
Washington.
West Virginia.
Wisconsin.
United States Department of Labor.
Manitoba.
Ontario.
Saskatchewan.
Department of Labor of Canada.

The CHAIRMAN. We have not heard from the Pacific Coast, except informally. We will be glad now to hear from Mrs. Delphine M. Johnson, supervisor of women in industry of the Department of Labor and Industries of Washington.

THE MINIMUM WAGE

BY MRS. DELPHINE M. JOHNSON, SUPERVISOR OF WOMEN IN INDUSTRY, WASHINGTON DEPARTMENT OF LABOR AND INDUSTRIES

The general effect of the minimum wage is to stabilize wages in industry and fix a base, and from that base the manufacturers in the same lines diverge according to their volume of business and management. Some industries pay higher wages than others, but as higher wages do not mean higher unit production costs, the department has never taken the time to follow that line to its logical conclusion.

It is true that some industries, such as public housekeeping, tend to make the minimum wage the maximum, but in others, such as manufacturing and mercantile concerns, the ability of the girl governs greatly, and in these industries the greatest diversity of wages is found.

You all know of the decision of the Supreme Court of the District of Columbia about a year and a half ago. After that decision the employers of Washington, Oregon, and California held a conference and agreed that they would stand back of their committee and commissions to enforce the minimum wage.

It is said by many that where there is a minimum wage it becomes the maximum. This is not so in the State of Washington. The minimum wage is $13.20 per week in all industries except public housekeeping, where it is $14.50 per week. My report to the director for the past nine months shows the average wage in the State, taken from 247 pay rolls including 5,040 women, was as follows:

Heads of departments and buyers	$46. 36
Office employees	21. 83
All other employees (excluding minors and apprentices)	16. 89

The average wage without segregation was $18.06. In the past nine months we have collected the sum of $4,766.09 in back minimum wages. This was done through the cooperation of the employers rather than the strength of the law.

In one of the big mail-order houses in this State, where it is a conceded fact that wages are very low, we found that the average wage of 600 women employees was $16.22 per week. The 4.3 under the minimum wage were minors, and none of them were under $10 per week. We also found an overall factory where there no apprentices or minors employed, and the average for their women employees was $24.05 per week.

Personally, I do not believe in too high a minimum, as it has a tendency to equalize the cost of production by bringing the maximum down to the minimum, and the inefficient employee has no incentive to work up to efficiency, as he gets the same as the efficient employee. But I do believe in a danger-line minimum wage that will at least give a girl a living wage while she is making herself efficient.

In one laundry in this State the employer is proving to the public that he can increase his output by saving the strength of his employees. In the last year he has installed presses that conserve the girl's strength. The average wage in his plant last year was $16 per week, and now it is $20, with the same number of women

employed. He is working along these lines and he will be heard from in the future.

You will note that there has been very little reduction in wages in this State in the past year, and those reduced were the high-salaried women; therefore you can see that our employers realize that the buying power and volume of sales will be greater if the wages are kept up. They also realize that reducing prices by reducing wages obviously gets us nowhere.

It is time that the industries all over the United States were beginning to realize the value of the eight and a half million woman wage earners of the country, and what would happen if they should all suddenly cease working. Thousands of industries would have to shut down and thousands would undoubtedly go into bankruptcy, for everywhere you go the products of women's activities are in evidence. The employers of the country should realize, then, that women must have a living wage. The young working woman is the future mother of our coming generations. We have schools and enact laws to protect the future citizen, but nothing is said of the protection of the future mother. People forget that they are paying taxes and enormous sums of money to safeguard the future citizens, but the foundation of it all seems to have been forgotten. The future mother should have enough to keep her physically and mentally able to bring her children into the world as normal and healthy children. All girls look forward to the time when they shall marry and have a home and children of their own. The children in the State of Washington are well protected by our laws and the employers realize that they themselves were once children.

The average woman with a home and children need not envy the doctor or lawyer of her sex who is neither wife nor mother, but should be satisfied that she is doing more for her country than they are, for without her and others like her, there soon would be neither man nor woman to carry on any occupation anywhere.

DISCUSSION

The CHAIRMAN. There are a good many things we have not even touched upon. We have not had any real discussion on the prohibition of night work, and in the face of the decision of the Supreme Court of New York, we might have some questions and discussion on that point. Is there anyone who would like to ask any questions on the prohibition of night work?

Miss BLANDING. As far as the night-work order is concerned, we have made it part of our minimum wage order that women should be barred from working in hotels and restaurants between the hours of 1 and 5 a. m. We have made a good many exceptions for railroad stations, on account of train service, and as we have made exceptions for railroad stations the private employers ask why we can not do the same for other restaurants. We might have a little difficulty in enforcing that——

The CHAIRMAN. Do I understand that the order does not apply to railroad restaurants?

Miss BLANDING. No; it is supposed to apply to all. We have made exceptions for those railroad restaurants.

The CHAIRMAN. We have done so in Kansas also. It creates some questions—

Mr. HALL. My experience has been that when you make an exception in any matter, no matter how meritorious it might seem, it always tends to break down law enforcement.

The CHAIRMAN. One of the speakers mentioned a case in Kansas, but there is one point, I think, in which it differs from the case in New York. The leading restaurant man in Manhattan, Kans., thinks that he can still test our law. When this case was filed the New York decision was just ready to be handed down, and we waited for it, and sent it on to the county attorney of Riley County at once. We received word at first that the restaurant men had decided that they would not try to test the law. Then a few days later we heard that a case had been filed, that the county attorney had arrested the proprietor at night, when a girl was on duty after 12 o'clock, and filed a case; so the law is to be tested. This proprietor feels that there is some discrimination in excepting railroad eating houses. That was done by special order after a special hearing before the court, and the railroad eating houses presented testimony to show that their situation differed from that of the regular commercial eating houses. We find, too, that they think there is a difference between an order of a commission or court like the courts we have in Kansas and the law prohibiting night work. There may be some discussion on that point. That is another reason why they have decided on a test case in Kansas, and that is because there the provision is just a provision of the order on public housekeeping rather than a statute provision.

Mrs. JOHNSON. What objection is there to a woman working at night if she is not a minor? What objection is there, if she gets the next day? We have a law that women can not run elevators in hotels after 12 o'clock.

The CHAIRMAN. Is there anyone who would like to discuss this matter of the prohibition of night work?

Mrs. JOHNSON. In many cases the women really get higher wages when working at night than they are paid for working in the day.

Miss JOHNSON. Investigations that have been made in this and other countries show that the effect of night work on women is very injurious, and legislation for the protection of women so employed is necessary not only for the women but for the protection of the race. A large number of the women employed at night work in manufacturing establishments are married women. The Massachusetts law prohibits the employment of women in manufacturing establishments after 10 o'clock. There is a vigorous effort being made at the present time to repeal night work in the textile mills, and when you think of it, it is well to consider the number of married women and the number of minors in that occupation. The majority of the employees in the textile industries are women and children. As I recall the figures, there are something over 80,000 women and girls in the textile industries of the State, which is nearly a third of all of the women industrially employed in the State, and in some of the textile centers a very large proportion of the workers are married women. In Fall River, Lowell, and New Bedford the

proportion of married women working ranges from 25 to 35 per cent of all the married women in those cities. You can get some idea from that what the result would be. It means working at night, and doing their own work, making two shifts the women work.

Mrs. JOHNSON. A married woman who works in the daytime, doing her work at home, and then works at night—I think we should have a law prohibiting a married woman from working who has a strong, healthy husband who can work.

Miss JOHNSON. It is partly a matter of wages.

The CHAIRMAN. We found, especially in the restaurant trades where there was so much night work, that the shifts were not arranged so that the women could get home at a reasonable time. We found that many of the women were compelled to go to their homes at 2 or 3 o'clock in the morning, and, of course, there were disadvantages in such work. I think women are pretty well agreed on the advisability of prohibition of night work for women. We are——

Mrs. JOHNSON. What do you do with the telephone girl?

The CHAIRMAN. I do not know whether any State has solved that question of the telephone operator. I know that in Kansas the telephone operators are still permitted to be on at night, but their shifts are taken care of in a different way than those in some of the other industries, and we have a provision for a rest period. I do not know whether in other States——

Mrs. MCRAVEN. May I speak of a case of a woman at night work which is illustrative of the conditions under which such work is done? I happened to have occasion to call on an operator of a telephone exchange. She was on night work; she was off duty at 7 o'clock in the morning. I wanted to interview her about the working conditions of her work. I waited at her home and at 2 o'clock in the afternoon she was up and doing housework. She was supposed to have had her rest from 7 o'clock to 2 o'clock. Furthermore, while she was trying to sleep her three children had cooked their breakfast and gotten off to school. That is just one of things which will break down the very things we are trying to preserve for the future race.

The CHAIRMAN. Is there any other discussion?

Mr. DAVIE. I think Miss Johnson touched just the fringe of the subject. I want to ask this question: Suppose we have a family, and an inadequate pay envelope coming into that home, which is very true of the large textile centers, are we going to deprive that family of the opportunity to support itself or make its members public charges, by passing such drastic legislation? I wish Miss Johnson would advise me on this. We have the same thing in New Hampshire in a smaller way. I think you will find more difficulty arguing wage schedules with textile employers than you will conditions of employment with the employees, who are greatly in need of all the money which is coming into their homes. There are two sides to all these questions.

Miss JOHNSON. Experience in industry shows that the employment of women tends to lower wages, while any legislation which restricts the employment of women or minors tends to increase the standard

of wages. One of the effects of the introdution of married women and minors into industry under the two-shift system would be an increase in the current available labor supply, and labor organizations feel that anything which would have an injurious effect upon woman employees and minors would have an injurious effect upon wages as a whole. It would tend to reduce wages; it would cut wages materially; if there were a labor surplus it would make it possible for employers to cut down wages. Labor organizations also fear that it would tend to accentuate the conditions of seasonality instead of making it possible to distribute the work more regularly over the year.

[Meeting adjourned.]

CLAUDE CONNALLY, COMMISSIONER OKLAHOMA DEPARTMENT OF LABOR, PRESIDING

The CHAIRMAN. Mr. Lovejoy, secretary of the National Child Labor Committee, is present and will speak to us at this time on "The Federal child labor amendment."

THE FEDERAL CHILD LABOR AMENDMENT

BY OWEN R. LOVEJOY, SECRETARY NATIONAL CHILD LABOR COMMITTEE

First of all I want to bring to the two organizations here and to all their members the fraternal and kindly greetings of the National Child Labor Committee. We have worked hand in hand with you and for you and your predecessors for the past 20 years. We are just now celebrating the end of the first 20 years of work of the committee. In all of its existence we have had the most friendly and understanding cooperation of the labor officials and other officials who have to do with this problem of the regulation of child labor, and we appreciate it, because we have no official standing whatever, no right whatever, except the right all American citizens have to get together and to organize. One of the chief difficulties has been to induce the State legislatures to play fair. It is very easy to get people in this country to pass laws. In fact, we are very informal in the matter of law passing. You can get people together to pass almost any kind of a law, and so we have passed the child labor law, the woman workers' law, the school attendance law, and laws of that sort.

Then the legislature, when it comes to a showdown, refuses to make any kind of provision which will insure adequate support to the agencies intrusted with the enforcement of these laws.

It has been said we pass laws in America not for the purpose of improving conditions, but for the purpose of getting something off our conscience. That is too broad a statement. There are a great many instances in which the situation can not justify that criticism, and so we have to do what we do as a volunteer committee, a committee of private citizens—try to bring pressure upon the State legislators through their own constituents and officially through our own agencies, and to induce them to make suitable appropriations for the purpose of carrying out the provisions of laws which are supposed to represent the will of the people. I should like to say that if at any time we can be of service to you, especially in the matter of added appropriations for the strengthening of your own departments, you can count on us.

Two years ago you held your conference in Harrisburg, Pa., just following the decision handed down by the United States Supreme Court annulling the second Federal child labor law, and I remember quite distinctly that the question was raised there as to what steps

should be taken next and as to whether the operation of the Federal law had been or was a hindrance to the administration of the State laws. I recall the discussion quite vividly because it was the discussion at that conference in which I was most interested. If I recall correctly there was not a single voice raised by the representative of any State which would lead to the belief that the operation of this law under the Federal Government had in any instance been a detriment, or weakened the sense of local responsibility, or embarrassed or interfered with the activity of State departments. On the other hand, a large number of representatives of State departments and the field workers of these departments said very positively, very emphatically, that the operation of the Federal law—both the first law and the second law—had been an advantage; that it had been an advantage in the way of advertising the subject of child labor to the general population; that it had been of great help because it had brought the matter to the attention of the populace; that it had helped because it had led to a uniform minimum standard; that it had stimulated the State legislature to attempt to secure more constructive, better coordinated, child labor laws in its own State. If I am wrong and have made too sweeping statements regarding the attitude of these officials two years ago, I hope that I shall be corrected at this conference, because we do not want to go out with any false notion.

I assume, of course, that every one is familiar with the proposition that is now before Congress in the proposed child labor constitutional amendment bill. You have followed the story of its presentation, the hearing before the Judiciary Committees in both Houses, and the discussion that took place on the floor of the House so I shall not go into that. There are certain objections which have been raised, certain points of misunderstanding, which I believe we might profitably discuss this afternoon.

It has been assumed by many of our friends that if anyone raises any objection to the proposed child labor law it is because he wants to go on employing little children. I believe we have come to recognize at this date that there should be neither false nor optimistic inferences drawn from the objections. There has been at least one of the child labor committees which has refused to indorse the pending constitutional amendment, not because the committee is opposed to Federal supervision but because it is opposed to the particular form of this bill. No one can accuse that committee of being opposed to the restriction and rigid regulation of child labor. There have been certain groups of women and other agencies in the country which have declined to indorse the bill in its present form. We must face the fact that the proposition before Congress should have the most careful, thoughtful, discriminating discussion, so that the people, who probably in an overwhelming majority favor this kind of legislation, will know just what the pending proposition means.

The bill provides that Congress shall have the power to prohibit, limit, and regulate the employment of persons under the age of 18 years. It provides further that the autonomy of the several States is not impaired by this legislation, nor by this article, except that the operation of a State law may be suspended to the extent necessary to give effect to legislation enacted by Congress. That is all there is to the bill, but there are several points in it which I feel

need careful discussion. What are some of the objections? The one which is perhaps most commonly presented is that of possible interference with the autonomy of the State, the operation of State laws. The next objection most commonly offered is that if this child labor amendment goes through no girl or boy under 18 years of age will be permitted to do any kind of work anywhere in the United States; that a boy who is just under 18 will not be able even to milk a cow on his father's farm, or to pick up eggs for his widowed mother. These are samples of objections which are heard.

While of course the latter objection is ludicrous, there are earnest, honest people who raise the question, Why 18? Why do you propose to give Congress the power to prohibit labor of all children under 18 years of age? And when we answer that we do not suppose Congress will pass such a law as to the labor of children under 18 years of age, they say, Why do you put it in the amendment—why write it in the Constitution—if you are not intending Congress to utilize the power Congress is given under the constitutional provision? That is a question that faces us. I want to discuss that; and if I do not make that clear from my point of view, I want to answer all questions, and clear it up. The best way to answer that is to say that your State—I do not care what State you come from, New York, or Virginia, or Oklahoma, or Wisconsin—possesses the endowed power to limit or regulate or prohibit the labor of persons not only under the age of 18 but under the age of 80 or 90 or 100 if it wants to do it—of course within the limits of reasonableness. Your State already has that power. You do not have to pass a constitutional amendment in your State, because the State governments already have the power to regulate conditions in industries.

What do we propose to do in this constitutional amendment? We propose that the Federal Government shall be given precisely the same kind of power that to-day exists in Iowa, New York, Virginia, Oklahoma, and Michigan and other States, with this exception, that whereas the power of your State extends over the entire span of human life the power that is to be conferred upon the Federal Government extends only to the eighteenth birthday. When the eighteenth birthday is reached the power of the Federal Government, under the provisions of this amendment, ceases in this regard, so that each State has a great deal more power than the Federal Government will be given if this amendment goes through in its present form. The objection then is, Why give the Federal Government this power up to 18 years if it is not going to use it? The answer is, Why give your State that power? Why have powers vested in your State if it is not going to exercise all of them? Of course the general answer is that the American people are not the fools they are often accused of being.

In this matter of legislation affecting labor conditions I think the history of this country shows that the people of the country are not fools; that on the whole they do not pass laws unless there is a rational basis for them. In some instances the laws may be poorly constructed, but the purpose is of an intelligent nature.

What is the specific reason for limiting this power to 18 years and not to 16 years? All of the officials coming from States where laws are well advanced will, I think, recognize the wisdom of conferring upon the Federal Government the power to regulate conditions of

child labor up to the age of 18 years. In those communities where the demand for labor is very strenuous, where the conditions of industry are very close and business is run on a close margin, it is difficult either to pass or to maintain laws such as you have in Wisconsin, New York, and other States. During the pendency of this law people all over the country discussed this matter; they discussed it for several months, and after great deliberation, after thoughtful analysis, they decided that to pass the 16-year-old provision in the regulation of child labor was inadvisable. In other words, it would be an example, a type of inferential influence, that would be far-reaching in its effect.

We have never expected that Congress would pass a law forbidding all child labor under 18. What we do think is that Congress will be more likely to limit the hours between 14 and 16 years, to prohibit night work by children under the age of 16, and to regulate the matter of working conditions. If it were possible to revise this suggested amendment when it goes through the Senate, I should like to add one or two features. For instance, I should like to provide that as to any occupation offering extra hazards to life or health the Federal Government should, through its board, decide whether children under 18 or under 16 should be employed. I believe that no child under 18 is qualified by experience and maturity of judgment to operate a railroad locomotive, or an electric elevator, or to work in any factory or establishment where poisonous acids or gases or explosives are used. There ought to be a minimum of 18 years in occupations such as those. So much for the 18 years.

The next objection commonly urged comes from the rural communities and centers about the extent of the power given. It has been urged most forcibly, not in the cotton-growing sections of the South, which are erroneously supposed by a great many people to represent the total of the child labor abuses in America, but in the farming centers of the Mississippi Corn Belt—the more progressive, wide-awake, up-to-date States—that if Congress be given the power to regulate employment of children under the age of 18 years agriculture at least should be excluded, and many have proposed that there should either be written into this amendment the specific occupations from which children should be excluded or that agriculture should be specifically eliminated. What is the objection to that? Do we intend that Congress shall have the power under this law to appoint inspectors to visit every farm in the country to find out whether the farmer is working or overworking his children under 18 years, or is it proposed that Congress shall forbid the employment of any boy or girl under the age of 18 on the farm?

Here we have to appeal to the common sense of the American people. There is no State legislature that has dared to attempt any such restriction. Is it to be supposed that Congress would do that which would keep practically its entire membership at home the next session? To put the question shows how ridiculous that situation would be. Furthermore, I believe that those who have the most experience in regulating conditions of work have recognized quite generally that the ordinary forms of agriculture can best be improved not through prohibitive child labor laws but through better health measures, through the establishment and administration of

better schools, and through better sanitary appurtenances for the homes of the people.

In many of the rural communities the juvenile agencies corresponding to the juvenile courts in the cities will take care of those rare cases of abuse or neglect which sometimes occur among farm children. Then the question arises, Why not leave agriculture out? There is a reason for this. A new type of agriculture is growing up in this country—industrialized agriculture.

About two years ago some of our agents from States where this type of agriculture exists described the whole area covered in their investigation as being a factory without sides, walls, or a roof, because the conditions in those communities were almost identical with the conditions we find in factories and manufacturing establishments. Agriculture in this area was entirely industrialized. Great corporations employed the workers, both adults and infants from six years of age up, to do this work under conditions which imposed very rigorous burdens upon them. The working hours ranged from 8 hours during the slack season to 12, 13, 14, and even 15 hours a day during the rush season, and this 15-hours-a-day labor was actually performed by many children 7, 8, 9, and 10 years of age. Now, I do not know what is going to come in the next 10 or 15 or 50 years. As long as it is proposed to amend the constitution, is it not wise to have an amendment broad enough in its scope to cover such changing conditions as may arise?

Why pass an amendment now that may have to be revised to meet the changed conditions of agriculture? Congress is not going to pass a child labor law which will affect the man whose boys and girls work beside him on the farm.

If ever the Federal Government should be called into action, we must all admit that the interest of the child is to be regarded as paramount, and that we can not afford to have any rigid limitations which would make it forever impossible for the Federal Government to give the child relief if his own community and own State refused to give it.

The next objection most commonly urged is that we are tending very rapidly toward centralization of power in this country, that we are building up a great bureaucracy in Washington which will ultimately scrap our State mechanism, our State constitutions, and our State autonomy.

The evidence brought forward to support this argument is to some very impressive. We are told to look at the Department of Agriculture; it started with a few thousand dollars for maintenance, and see how it has grown; to look at the Department of Labor, the Department of Commerce—these departments were very small at the beginning, but have grown tremendously. Then there is the children's work, which started out with an appropriation of about $26,000 and now has an appropriation of about one and a half million; we are told that over one and a quarter million is used for the administration of maternity and infants' work under the law passed a number of years ago. This money simply passes through the hands of the Children's Bureau and is not used by it at all except that the bureau has charge of its administration; it is not a part of the machinery of that bureau in any sense. Even at that, we are sorry that it is only a million and a half.

These opposers of the law can all talk about the eighteenth amendment and the administration of the Federal prohibition law—how many thousands of inspectors are required all over the country to administer that law. There has not been a discussion of any length in connection with this child labor constitutional amendment which I have taken part in where the eighteenth amendment has not been brought in. As to the child labor law figures by the carload are cited to pile up evidence against it, on the ground that so much machinery will be required to administer it that it will ruin the taxpayers in this country.

You would think, to hear people talk, that all the expense of the Federal Government, from the time the first Federal bureau was organized up to the present time, was to be charged up to the children who are to be benefited if this amendment passes. By the way, when they talk of Federal expense in connection with this amendment they never mention the expense of the Army or the Navy. I have not heard that brought into the argument at all, but the burden upon the American taxpayer in aiding these children is always brought in.

Now, I am against putting the burden on the Federal Government for the administration of laws which can be better administered by the various States. I am opposed to building up a great Federal machinery, as against the maintenance and encouragement of local initiative, State initiative, and State enterprise. The people who live in this ward in Chicago, if there is any abuse in this ward, ought to be ashamed to go to Springfield to get it cured without first going to the city hall, and the people who complain of some evil in Chicago ought to be ashamed to go to Washington before they have gone to Springfield. Those are progressive steps and none of them ought to be omitted. We all look upon our local States as the first agency to be called into action when anything is to be improved or cured, but here is a situation where experience has shown there is need of coordinated, unified, standardized legislation.

How much is it going to cost if the amendment goes through? I am frank to say I do not know. It is not going to cost what it costs to administer the Volstead Act. Why? A few years ago there was a fabulous fortune made out of the manufacture and marketing of intoxicants. There are no fabulous fortunes to be made out of the exploitation of children. That is clear. We have tried to impress it upon the public that child labor is one of the games in which everybody loses. People sometimes make money, but the profit out of it is small, and in the long run it is a waste. The best manufacturers and merchants all over the country who have had experience feel that child labor is a loss and that the most expensive and extravagant labor is ignorant child labor.

That being the case, do you suppose any organization of people, any association, any group, is going to get together and have child labor stills down in the dark caves in the mountains or in out-of-way places, or bring children in boatloads within the 3-mile limit or the 12-mile limit and try to smuggle them into the country? That is preposterous.

What is needed is an agency which can regulate the minority, say the 1 or 10 per cent, of the employers of minors who think they are aiding themselves and their communities by the exploitation of

children. The majority, the overwhelming majority, of the employers of this country want things done right. There is no parallel between the two amendments. There is plenty of bootlegging in intoxicants, but there need be no child-labor bootlegging. It would not pay. There is nothing in it to make it worth while running the risk of getting into our Federal courts for that kind of a crime. So you see the machinery which is bound to follow the one is entirely incorrect as an illustration of what might be needed under the other. When arguing on that point we ought to insist there is no parallel; there is no analogy; it is just not the fact.

The last objection I want to discuss is that it is irreverent and unpatriotic to tamper with the Federal Constitution; that the greatest men in the world at that time wrote the Constitution; that they knew what they were about when they wrote the Constitution. Who are we, the posterity of those great fathers, that we should think we know more than they and try to add to that sacred document. I say to the person using that argument in the first place you have no greater reverence for the Federal Constitution than myself and my associates have; we think it is one of the greatest State papers ever written. Then I begin to ask questions. "What do you mean by sacred? Do you mean that it is a sacred mummy; that it ought to be put under glass in a museum, or do you believe it was intended by those great fathers to be used?" Of course the answer will be that it was intended to be used—what the person really thinks is that it is a mummy. Then I ask him, "Do you believe it is all sacred?" He answers, "Oh, yes; every bit of it is sacred; every bit." Then I say, "All right. If you say it is all sacred, of course you will agree that article 5 is sacred, won't you?" then he begins to break, and says, "What is article 5?" He reverences the Constitution, but he has not read it for a good many years, so of course he does not know anything about article 5. I reply that article 5 is the article which provides that our Constitution may be amended, and it also provides the machinery by which it may be amended without in any way interfering with the local democratic prerogatives of the American people.

That is one of the wisest, shrewdest, most statesman-like provisions of the whole Constitution, but that is the one provision which those who talk about the sacredness of the Constitution invariably repudiate. Why should they repudiate that and not repudiate the rest? If it is sacred, article 5 is sacred, and I stand on article 5.

"Oh," they say, "do you mean to tell us that George Washington and Jefferson and all those people contemplated that under the provision for amendment in this Constitution people should sometime come to Congress to pass a child labor law?" Then I reply, "No, I do not think they ever contemplated anything of the kind." As a matter of fact, I think there are quite a few things that Washington and Jefferson did not contemplate. They did not contemplate things they never heard of. Washington never rode in an automobile, nor used a radio, nor heard of a telephone. He never even drove a Ford, much less a Rolls-Royce; he never rode in an airplane. I imagine he never thought that an airplane could possibly go up in the air thousands of feet and carry human beings for hundreds of miles. He did not contemplate that. He did not contemplate Chicago.

I think he did go out West once, as far west as Fort Du Quesne, where Pittsburgh now smokes, and he was quite impressed with that wild, wide, mountain wilderness. He did not contemplate the Mississippi River, the Great Lakes, Chicago, Denver, San Francisco, or Omaha—he would not know what those names meant.

Washington, the Father of our Country, is a sacred memory, but he did not contemplate any of those things. He did not contemplate the establishment of the great manufacturing corporations in our country to-day.

It was only a few years before the Constitution was written that Benjamin Franklin, one of the wisest men of that illustrious group, wrote a very interesting letter to the Duke of Newcastle in England. The Duke evidently had become excited over the growth of the American colonies in population and feared that we were going on to greater development of industry in competition with England. Franklin wrote to the Duke of Newcastle that while the American colonies were admirably adapted to agricultural pursuits, manufacturing enterprises could never thrive here.

It was quite a few years after the Constitution was written that one of our great statesmen rose on the floor of Congress and made one of his characteristically eloquent appeals. It was on the occasion of the visit of Dr. Marcus Whitman from the Pacific Coast, after the discovery of Washington, Oregon, and Northern California. He came to appeal to Congress to take steps to save that Pacific slope from being captured by England or France or Spain or any other foreign power, and Daniel Webster made one his great speeches, in which he appealed to the people, saying that God in his infinite wisdom had placed that great range of Rocky Mountains on our western border to protect us forever from the wild savages of the great unknown on the West, and to keep us from wandering over there and getting lost in the great unknown. It was a sort of divine Chinese wall that God had thrown up there to protect America.

The point I want to make is that our forefathers who wrote the Constitution could not contemplate what would transpire in America 140 years subsequent to their time, as you and I and the other people in this country, with all of our wisdom, have no idea of what the industrial, manufacturing, agricultural, and other pursuits in this country are going to be 100 or even 50 or 25 years hence.

We do not know what the fate of this amendment will be. It went through the House by a splendid majority, five to one or more. It stuck in the Senate. Congress will probably adjourn the 7th of June. It is holding evening sessions now trying to get through. It may recess. If so there is a chance of this amendment coming up at the adjourned session this summer. There is a faint possibility of it coming up now between now and the 7th of June. The calendar is so full that unless it can come up out of order under the unanimous-consent rule there is no chance of it coming up now.

On three different occasions the promotors of this bill have tried to bring it up under the unanimous-consent rule. First it was objected to, I believe by Senator Dial, of South Carolina—I am not quite sure whether he was the one. The second time Senator Lodge attempted to bring it up by agreement with Senator Robinson, the minority leader in the Senate, and Senator James W. Wadsworth, jr., of New York, objected to the unanimous-consent rule. Day

before yesterday it was tried, and Senator King, I believe, objected to it. Whenever it is brought up any Senator can stop its consideration. If there is one man in the Senate who does not want it discussed, then there is no bureau under heaven, no women's club, labor organization, or child labor committee, public official, or anybody else who can get it up there. If the Senate can get the calendar cleared so that this bill can come up next, then there is a chance.

I would like to ask all who are for this measure to wire the Senators from your States, and urge them to regard this as one of the important measures to be put through before Congress adjourns. You can do that now, and when you go home urge your constituents to do the same thing. Those are things you can all do. Some people say that it does not do any real good to wire or write your Senator, but I know your Senator is more impressed by letters from his constituents than he is by letters from any other source, because when his constituents take the trouble to sit down and write or wire he thinks that the people are really interested, and begins to notice. Let me urge you to do this.

DISCUSSION

Mr. CHAIRMAN. Is there any discussion at the present time? Does anyone wish to ask anything of Mr. Lovejoy?

Mr. HALL. I would like to ask Mr. Lovejoy if he thinks it would be of any value for this meeting to pass a resolution relative to the present status of the child labor enabling act and to forward it to the Senate?

Mr. LOVEJOY. I thank Mr. Hall for the suggestion. I find in making a speech I always leave out the thing I wanted to say. I wanted to ask if you would pass a resolution here to be forwarded to the sponsors of this bill in the Senate, urging its free discussion and its enactment, because coming from this group it would put to sleep quicker than anything else the objection that is most forceful against it; that is, that State officials are opposed to it.

[A motion was made, seconded, and carried that a committee be appointed to draw up a recommendation to be forwarded from this body to Congress, then in session. The following committee was appointed: Royal Meeker, chairman; F. M. Wilcox, Ethel M. Johnson, and Alice McFarland.

The following paper on "Accidents to children and increased liability," by Nelle Swartz, director bureau of women in industry, New York State Department of Labor, was read by Sara McPike, secretary of the New York Department of Labor:]

ACCIDENTS TO CHILDREN AND INCREASED LIABILITY

BY NELLE SWARTZ, DIRECTOR BUREAU OF WOMEN IN INDUSTRY, NEW YORK DEPARTMENT OF LABOR

[Read by Sara McPike, secretary New York Department of Labor]

One of the most serious indictments of child labor is the heavy accident toll paid by young wage earners. Recognition of this fact has been responsible for much of the legislation which limits their employment at dangerous processes.

New York has in the past been one of the States which has led the way in prohibiting employment at certain dangerous machines for children under 16 years of age. Circular or band saws, collander rolls, cracker machinery, corner-staying machines, power punches or sheers, rolling-mill machinery, steam boilers, and washing, grinding, or mixing machinery are among the machines included in this list. Neither may any child be employed in or assist in the adjustment of belts to machinery, or cleaning, oiling, or wiping machinery when in motion.

The continuous study of laws in relation to every group they affect is necessary if we are to make it possible for them really to accomplish the purpose for which they were placed on the statute books. For accident prevention it is necessary to know why and how accidents occur. For intelligent revision of compensation laws the number and character of accidents must be known. And so in an attempt to determine the effectiveness or ineffectiveness of the prohibited trades act for children and in order more intelligently to carry on accident prevention in New York State, the bureau of women in industry analyzed all compensable accident cases of children under 18 years of age occurring during the year July 1, 1919, to June 30, 1920.

The presentation of facts regarding work accidents to children was somewhat limited by the statistical data available. Because of the lack of certain much-to-be-desired information there are wide gaps in the material. For example, it is impossible accurately to determine the accident risk in different industries for children or the difference in accident risk between boys and girls, for the reason that no figures are available as to the exact number of children exposed to such risk. Without knowing the exposure, it is of course impossible to determine the proportion of the children injured.

As the study dealt with compensated cases only, it meant that boys and girls employed in agriculture and domestic service were not included, since those groups are not included in the compensation law of New York State.

There are also children under 18 years of age in certain employments, commercial in character, who are not now within the scope of any of the occupations specified in the workmen's compensation law; for example, office boys and girls in certain industries, messenger and errand boys and girls. It is impossible to state the number of these.

Even though accurate statistical information is lacking as to the exposure of children to industrial accidents, and even though a large group of children under 18 years of age are in industries not covered by the compensation law, it is significant that in New York State in a single year 1,983 accidents occurred of serious enough nature to disable the boy or girl two weeks or more.

DEATH CASES

Twelve children under 18 lost their lives through industrial accidents during the year studied. Seven were in New York City and five outside of New York City; all were boys. Of the 10 deaths compensated for, 4 were due to elevator accidents; of the remaining 6, 4 were caused by falling or slipping, 1 boy was struck by an automobile, and the remaining 1 died as a result of injuries caused

by moving belts on machinery. With proper vigilance none of these accidents need have occurred.

SEX

Four-fifths of all the compensated cases for children under 18 were accidents to boys. It is probable that for the most part boys are exposed to greater risks than girls, but figures as to this are impossible to obtain because we have no basis on which to determine the number of boys and girls hurt per each 100 exposed. Without such figures, conclusions as to the difference in sex hazards cannot be made.

INDUSTRY GROUP

Almost 80 per cent of the accidents to the year's account fell in the field of manufacturing; trade ranked second and public utilities third.

OCCUPATION GROUP

The outstanding feature of the figures on accidents in manufacturing is the number occurring on metal cutting and stamping machines. Thirty per cent of the accidents are attributed to these machines—that is, between three and four times as great as the number in any other single group; 22.3 per cent of such accidents caused amputation of some kind. Second to metal products is the manufacture of wood products, with 18.8 per cent of these accidents causing amputations. Third and fourth come printing and clothing, and closely following are textile, the manufacturing of food, and the manufacturing of paper pulp and its products.

While the investigation of the bureau of women in industry dealt only with boys and girls under 18, more than 9 out of 10 accidents were suffered by minors between 16 and 18 years of age; that is, 8.5 per cent of the accidents occurred to children under 16.

CHILDREN ILLEGALLY EMPLOYED

Nine children under 14 who were employed illegally had accident cases and were compensated on the ground that although the child was too young to be employed legally the fact of his employment gave him a right to compensation. These children, under the decision of the court in the case of Noreen *v.* Vogel & Bros., 231 N. Y. 317, were obliged to take compensation and could not sue the employer for negligence at common law. The compensation which they received was necessarily small because, even taking into consideration their increased earning power or expectancy wage, their wage earnings would be for the most part comparatively low.

Eight of these 9 children were boys and 1 was a 13-year-old girl. Of the boys 4 were 13 years old, 3 were 12 years old, and 1 was 11 years old.

The New York State law prohibits a boy under 18 or a girl under 21 from cleaning machinery while it is in motion. Fifteen children during the year studied had accidents because they were working in violation of this section and were cleaning machinery while it was in motion. The New York State law also prohibits children from adjusting machinery when it is in motion. Twenty-four children were injured seriously enough through violation of this section of the law to claim compensation for more than two weeks.

In addition to the employment of children under age or on the cleaning or adjusting of machinery while in motion, there were 19 children under 18 injured while working on machines.

In view of the number of children injured who were found to be illegally employed, the bureau of women in industry recommended that the workmen's compensation law be amended so that minors under 18 years of age who are injured while illegally employed receive three times as much compensation as those who are injured while they are legally employed. The bureau further recommended that the employer be prohibited from insuring against the additional liability.

When the bill was finally introduced into the legislature it provided for double the amount of compensation to minors who were injured while employed in violation of the provisions of the labor law. This bill was passed without a dissenting vote by the New York State Legislature, having had the indorsement of the New York Child Labor Committee and the commission appointed to examine the laws relating to child welfare. The law went into effect September 1, 1923.

What was the first reaction of employers to this law? Just what the proponents to this bill hoped it would be. Employers immediately began to take stock and to examine very carefully the working certificates of boys and girls in their employ and to guard against the employment of children under 18 at prohibited trades.

Numerous large employers immediately instructed their employment department thereafter to demand a working certificate from each applicant 18 years of age or under.

The Associated Industries carried on the front page of their monthly magazine, the Monitor, in large type the words "How many minors have you working illegally in your plant—have you checked up to find out?" And then called the attention of their members to the provisions of the law.

There was, of course, the usual backwash from this law. For example, one Brooklyn paper claimed that under the law employers would be compelled to dismiss apprentices. All this meant however, was that the law was not understood. An effort was made through publicity methods to make clear in the minds of the opposition the fact that the law did not in any way add to the list of prohibited employments of minors, and attention was called to the fact that minors between 16 and 18 have for many years been prohibited from certain occupations in New York and from adjusting and cleaning machinery while it is in motion.

The directors of the various employment bureaus for juveniles throughout the State report that since the enactment of this law employers are much more insistent on proper evidence of age and proper working certificates then they were before its enactment. In other words, the law has furnished a strong incentive to comply with the child labor law. While the law itself has been in operation too short a time to measure statistically whether or not it has actually reduced the number of accidents, it is safe to say that there has been throughout the State a much more thorough checking up of working certificates by employers and, most important of all, there has been as a result of this law a campaign of education on accident prevention, particularly as it relates to children.

DISCUSSION

The CHAIRMAN. The discussion will be led by Taylor Frye, director of the child labor department, Industrial Commission of Wisconsin.

Mr. FRYE. When the compensation bill in Wisconsin was passed, it was my misfortune to be a member of the legislature. The men and the women to be affected by that bill were right there to put in their word for or against it, but I did not see a child there. The child had nothing to say; he had nothing more to say than the black man in the South 75 years ago had to say about his status. He took what we adults in Wisconsin handed to him. I ask you, What are we handing to our children to-day? What kind of a deal are we giving them? After we had enacted that bill the supreme court of our State practically said that we had handed them a pretty rotten deal.

In the Foth case, Foth was set to work to clean and oil gears, a thing prohibited by law to a child under 18. He had both arms stripped from the hand to the shoulder. There were at least two dozen lawyers, some of them as fine lawyers as there are in the State of Wisconsin, in that legislature, and everybody believed that that kind of a case would not come under the compensation law because of the child's right under the common law. This boy went to the court with his case, as others before him have gone to the courts, and got a verdict in the circuit court for $1,500 damages for that serious injury. The case was carried to our supreme court, and it decided that he was entitled to work if he was over 16 but under 18, and that just because he happened to get into an unlawful employment did not take him out from under compensation. In the next session of the legislature all children were brought under the compensation law at the suggestion of the employers' representatives.

Previous to 1917 when an injured child came into court, if he was in the employment in violation of the law, few employers had any defense to offer. Our supreme court, quoting the Supreme Court of the tate of Illinois, pointed out that we had in a measure borrowed our law from that State. We took it with the interpretation put upon it by the State of Illinois and its supreme court, that it made the employment of a child in violation of the law a crime, and that no excuse can be offered for a crime. That was the status of the injured child in Wisconsin before 1917. The only question to be settled when the case came before the court was the measure of damages. The employer and his attorney were stopped from offering any excuses for that thing. Thinking of what had happened during the session of that legislature, of which I was a member, I waited to see what our supreme court would do. We had taken that child's right away from him. Under the supreme court decision, he could not go to court, but had to go to the labor department, where he received $135 for his injuries, which the jury had said was a damage of $1,500.

There was a time in Wisconsin when an employer could set up defenses in such a suit. In 1896 a boy 10 years of age was working on a planer; he was so small that the employer had to put up a box for him to stand on; in the operation of the planer he lost an arm, and in the damage suit that followed his employer set up every defense that he could set up against an adult worker, and he was within the

law in doing it. That is what we were handing our children in Wisconsin at one time. That was changed a little later; probably three or four years later it was made a crime, a crime of low grade to be sure but still a crime, and we took away the right of the employer to set up those defenses. The defenses set up in the case of the little 10-year-old boy, were that a fellow servant had inflicted the injury; contributory negligence (on the part of a little 10-year-old boy); and that he assumed the risk (a 10-year-old boy assumed the risk). Thank heaven, the jury did not look at it that way, and the employer lost his suit and the child got a decent amount of damages.

Now as to treble compensation—three times what the child would get if he had been lawfully employed—there may be some criticism. There are two cases where, if he is injured, he is entitled to treble compensation—when he is employed without the necessary labor permit and, whether or not he has the permit when he is employed at a prohibited employment. This is not to punish the employer, not at all, it is to pay for the damage done to the child's body, just exactly as in 1910, 1913, and 1915, when the child sued in court, and got damages, it was simply to pay for the injury to his body. This simply pays for the bodily injury; it does not relieve the employer from the statutory penalty of $100 for every day he had that child working in violation of the statute, which amount goes into the State treasury. It simply takes the place, then, of the ordinary suit for damages, and was asked for by representatives of the employees and of the employers.

We sometimes get the idea that this law has solved or is going to solve all of our child-labor troubles; that people are not going to violate the law any more. Of course, this law is not a cure-all for child-labor troubles. I believe the manufacturers in Wisconsin would prefer to have this law rather than to return to the laws we have had in the past. If we were able to reverse the supreme court decision and put the child back in the position he was in before 1917 they would not want it. They are a great deal better off now than under the law we had before. Why? Because in Wisconsin if a child loses his arm while employed in violation of the law, and the employer takes his case into court he can not offer any excuse; the court and the jury set the damages, and if they do not set it higher than treble compensation it will be unusual, because the amounts of verdicts have doubled and trebled over what they were 10 years ago, which was about the time the treble compensation law in Wisconsin was enacted.

Furthermore, in Wisconsin the employer can insure his liability for one-third of the compensation and all the medical bills, and all he has to pay out of his pocket is two-thirds, or twice as much as the insurance company pays. If the whole compensation amounts to $3,000 the insurance company helps him out $1,000 and he pays the other $2,000, but if he went into court under the old law, or under the law of Illinois, he would pay the whole bill assessed against him by the jury which is large nowadays. What he pays for is the damage to the child's body, but otherwise he would pay for pain and suffering, which is not included in the compensation bill. I am telling you this, because I do not want you to get the idea that increased compensation is doing what it is not doing.

That is the situation of the child in Wisconsin. I presume it was the same thing or approximately the same thing in the State of New York. When the compensation law was to be passed, it was thought the child did not need to worry because his case was not to be compromised—the law was for the adult worker, while the child could still go into court with his case. If he was employed in violation of the law there could be no finding against him. The court would simply give him his damages, and that was the end of it.

Our compensation law has been in operation since 1917, and since then several hundred children have been injured while employed in violation of that law.

How many of them do you suppose have told about it? How many of them do you suppose would ever have gotten one cent of compensation if they had been left to their own devices as they were before 1917—not 2 in 100, not 2 per cent. In other words, we have to go out and find the injured children; we have to hunt them up; to see that this money is given to them; to get it for them; to see that it gets to them—that is some job. The report comes in that the child is 18 years old, 19 years old, 20 years old, yet the fact is that he is 16 or maybe 15. A great majority of the children who are injured while employed in violation of the law and to whom treble compensation accrues, are reported as over 17 and in most cases the employer has not lied about it. It was the child who lied. He tells the employer he is 17 and the employer puts down the age as 17 and drops the accident report in the mail box. Do you think that child then comes in and tells us about it?

Over 90 per cent of the children who get hurt and are reported as 17 are, as a matter of fact, under 17. Not all of them lie in a bad sense; some of them say they are 17 when they get to be 16, because they are in their seventeenth year. We have to go out and tell those children. We have to establish their ages and bring about a situation under which they will get their money.

Does it help to back up the child-labor law and prevent violations? It helps tremendously. Does it work automatically to put an end to all our troubles? Not at all. We have lots of them. One of our troubles is to locate these children, to get their ages. Sometimes we have to get birth records from Europe; we have written to South America; we go everywhere we can to get those records. We have our own permit offices in Wisconsin, and they have been a good deal of help in this respect. If the information is very hard to get, it is all the more certain that we will get it, and when we get it we go to the employer. If he has allowed himself to be deceived about the age of that child no matter how—note that "no matter"—the child gets that money. No matter if he has a birth record; no matter if it is a baptismal record that is changed, that is not correct; no matter if he has an affidavit—we got one the other day showing that the child was born in 1907, and the record showed she was born in 1909—no matter what it is, if it is not correct, then the employer is up against it; if the child is under 17 there is just one thing to do, he must pay that money.

In one case the employer knew this law well. He was so sure of what he was doing that he went ahead and employed the child without the necessary permit. It cost him $5,400 in extra compensation, the total compensation being $8,500. A false baptismal record was

made by a minister of the church, not intentionally at all, but the child had lied to the minister about his age, and the employer did not go to the church records to see if the date stated by the child was the correct date. That was another instance where the employer did not find out what, in fact, was the child's correct age.

If the treble compensation provision of the law is enforced, people who employ children are not going to take chances when employing them but insist on the necessary evidence that they are over 17.

The CHAIRMAN. We will now have a paper on "Children in street trades," by Miss Jeanie V. Minor, secretary of the New York Child Labor Committee.

CHILDREN IN STREET TRADES

BY JEANIE V. MINOR, SECRETARY NEW YORK CHILD LABOR COMMITTEE

In 1902 the New York Child Labor Committee began its career of service to working children of the State and started out to discover under what conditions children were working and what, if anything, needed to be done to remedy these conditions. One of the first studies made was of newsboys on the streets of New York City, and the result of this study convinced even the hard-headed legislators of the State of New York that at least in the most noticeable of the street trades, newspaper selling, a minimum age of 10 years and a limitation of hours, forbidding such work after 10 p. m. were imperative. This law, more honored in the breach than in the observance, continued until 1913 when the present age and hour limitations were enacted, i. e., 12 years for boys, 16 for girls, and work forbidden before 6 a. m. and after 8 p. m. Several States have now gone beyond New York in the matter of street-trade regulation, for instance, Kentucky, where such work is forbidden to boys under 14 and girls under 18—except that boys under 14 may deliver papers. In Pennsylvania and in Maryland, in cities of over 20,000, though boys over 12 may engage in newspaper selling or delivery, all other kinds of street trades are barred to children under 14. Wisconsin and Minnesota also permit boys over 12 to sell papers, but forbid girls under 18 to engage in other street trades, and boys under 14 in Wisconsin and under 16 in Minnesota are likewise prohibited.

The Federal Children's Bureau says:

> Only 14 States and the District of Columbia have laws requiring children selling papers or doing other work on the street to secure permits or badges. Only 10 have State-wide laws affecting boys engaged in independent street work. These laws have proved much more difficult to enforce than those regulating child labor in factories, stores, and other establishments. Although child labor in street trades may be controlled by local ordinances or police regulations and is so controlled in some places, State law is necessary in order that minimum protection may be effective throughout the States.

Since our initial study in 1903 street-trades surveys have been going on in other States, and a careful analysis of the findings of the studies made in Detroit, Boston, Milwaukee, Cincinnati, Dallas, and Springfield corroborate and strengthen the conclusions of this paper with reference to the two studies most recently made by the New York Child Labor Committee in Yonkers in 1920 and in Troy in 1923.

In 1920, the committee made a special study of the newsboy situation in Yonkers. The schools, public and parochial, were canvassed and 172 boys were found to be selling papers, 50 per cent of them being under the legal age for this work. No newsboys' badges had been issued during the previous three years, and few of the boys had any knowledge of the street-trades law. For one reason or another many of these were eliminated, leaving 100 boys actually studied.

The 100 newsboys studied were divided into two classes: (1) Boys selling on street corners; (2) Boys delivering on routes. Thirty-eight boys were mainly selling and 62 were mainly delivering. In Yonkers the little boys tend toward selling and the big boys toward delivering.

Taking the sellers first, the boys get their papers from the offices of the news agents and carry them up to Getty Square, a distance of about two blocks, and it is in the maelstom of the square that the youngsters congregate to ply their trade. In the late afternoon boys of 10 and 12 could be seen, lugging great piles of papers from the news offices and wending their way through the traffic. One little fellow was noticed hurrying across the path of an automobile with a pile of papers so high he could scarcely see over it. The strain of carrying these huge packages of papers is by no means negligible. In the study made by the Consumers' League in Toledo in 1921 it was found that:

> Twenty papers weigh over eight pounds, 50 papers over 31 pounds. The sellers carry the heaviest loads; 38 per cent carried from 50 to 100 papers; 10 per cent carried from 100 to 200 papers; and 2 per cent carried 200 or more papers, about 87 pounds.

Among the boys under 12 the greatest number earned about $2 a week. In the group 12 and 13 years of age the earnings increased, the greatest number of boys receiving $6.50 a week, but many boys admitted earning decidedly more than their parents knew of. This tended to increase their independence of parental authority.

The general hours worked were between the close of school and about 8 p. m., although a few worked in the early morning hours and 18 of the boys had sold after 8 p. m., staying out anywhere from 8.30 to 11.30 p. m.

Twenty-six per cent of the sellers showed signs of ill health and in 18 per cent the health was only fair. The problem seemed to be one of stunted development rather than of acute ill health.

Thirty-nine per cent of these boys were retarded in school; 58 per cent were reported to be in their normal school grade and 3 per cent were advanced. According to the individual school records, 21 boys presented special school problems in truancy, delinquency, physical exhaustion, no interest in home work, no interest in school generally. Only 10 per cent were satisfactory in both work and conduct and in their normal grade. The home visits disclosed that smoking, gambling, disobedience, even dishonesty and a general rough manner at home were checked against 15 per cent of the boys.

In general the Yonkers study shows that those characteristics of the newsboy seller's trade which would cause physical harm are (1) late hours, (2) delayed and improper meals and the consequent indulgence in sweets and sodas, (3) work in hours intended for recreation, (4) work where the chances of accidents are plentiful, and, (5) the carrying of too heavy loads of papers. Mental slowness as indicated in

school standing may be due to (1) overfatigue physically, and (2) the excitement of work in the rush and turmoil of street life which leaves the boy's mind over stimulated but dulled for the school rooms. Moral harm may be due also to street life, with all that it offers of temptation and independence of parental authority, especially in the cases of foreign families.

Next, as to the carrier boys of Yonkers, these were found to work for themselves or for small stationery stores or for older boys. Their earnings averaged from $1 to $1.75 a week. The usual hours of carrier work were between 3.30 and 7.30 p. m. and between 4.30 and 8 a. m. One of the boys got up at 4 a. m., walked a mile and a half to the news agent's office, and beginning at 4.30 delivered 150 papers in two trips from the office. Then followed a long morning session in school and in the afternoon doing the housework which his mother, employed in a carpet factory and ill from overwork, was unable to do. The father had deserted and an older brother was on the point of enlisting in the Navy to escape the pressure of home conditions. No wonder the small boy looked depressed and world weary.

Sixteen per cent of the parents of the carrier boys objected to their work. Among the reasons given were: (1) The heavy load of papers carried made the boy one-sided; (2) Exposure to the weather when improperly clad caused frequent colds; (3) Early morning work overtiring. Many of these parents looked upon street selling as a disgrace and upon route boys as distinctly separate from sellers.

Fourteen per cent of these boys showed poor physical conditions as against 26 per cent of the sellers. The boys often carried from 75 to 100 papers and the results were lame backs and uneven shoulders. Twenty-five per cent of the carriers were retarded and 10 per cent advanced, while 39 per cent of the sellers were retarded, and only 3 per cent advanced. Sixty-six per cent of the carriers were normally satisfactory in every way at school, while of the sellers this was true of only 10 per cent. There were fewer problem cases among the carriers than among the sellers, although the mother of one colored boy said he lied, played truant, and ran the streets. For a few months he had a paper route but had been discharged. When cautioned against further work by the boy her reply was, "Mah Lawd! They ain't nobody 'ud want him!"

In general, parents expressed a desire to know the law and to respect it, although frequently a father was convinced of the need for law enforcement in the case of any but "my boy."

The one outstanding need was that of greater recreational opportunity. The schools were doing good work in athletics, but this was confined largely to school hours except for practising teams. The fun of many boys consisted of movies and unorganized play in the city streets. Despite the activities of the Boy Scouts, the Junior Y. M. C. A., and the Boys' Club, many of these youngsters appeared to have no place to play but the street, and it is perhaps natural that a mother should prefer a paper route or a corner stand for a boy to loafing on the corners or sitting about a dark, crowded home.

If it is agreed that paper selling in the midst of a congested square is not the best use a boy can make of his playtime, then it is the obligation of the community to provide some better way for him to spend that time. If the law is enforced, what shall we give the boy in the place of that work which we are taking away from him?

Because boys are working at the paper business they have no time for recreation, and conversely often because they have no definite form of recreation they have turned toward paper selling.

The Yonkers study contains a recommendation that the minimum age for sellers be pushed to 14 years. A police sergeant of that city said that if he had his way he would prohibit any boy under 18 from selling; he knew too well the "rough stuff" the boys picked up.

Enforcement of the law is, however, the most imminent obligation of the community. Boys will continue illegal selling just as long as they do not believe officials mean business. It takes court procedure in the case of one or more offenders to convince the rest of the boys that the law is to be obeyed. Since the parent is responsible for the child, this action should be brought against the parent. Once the campaign for law enforcement is begun, if the boys selling illegally are allowed to continue they will furnish an unfortunate example to those others who are obeying. A slipshod enforcement is worse than none at all.

In an editorial entitled "The Census and the Community," the Yonkers News of March 9, 1920, stated: "Yonkers can afford to drop off a cipher from its population figures if it can devise some system of transforming a few of the ciphers in its community life into people who really count." The "newsie on the street corners" concludes the Yonkers report, "exposed to physical, mental, and moral overstrain has a mighty good chance of being not only a cipher in the community but a figure on the minus side of the cipher!"

In New York City the problem has been halved within the last seven years as will be seen by the following table of newsboy badges issued from 1917 to 1924 (badges expire June 30).

1916–17	4,726	1920–21	1,987
1917–18	2,947	1921–22	2,552
1918–19	2,745	1922–23	2,771
1919–20	1,704	1923 to date	2,054

The attendance officers assigned to this work claim that the passing of the saloon, the stronghold of young panhandlers, is mainly responsible for this lessening of applicants. Another potent factor checked up by our staff is the fact that the man who owns and operates a corner stand pays high for that privilege and does not intend to have his profits cut down by itinerant boy sellers. "We chase 'em and they soon learn to keep away," said several.

We turn now to the Troy study, the latest and by far the most intensive ever made in the State of New York. Troy was selected as the city in which to study the children in New York State because it was believed to be far enough away from New York City to be free from any of this large city's influence and still be large enough to have city problems of its own.

Almost half of the chief breadwinners were in the manufacturing industry, although practically every kind of industry in Troy was represented among the families.

The great majority of the street traders come from American-born parents and only 37 per cent from parents born in a foreign country. This proportion is almost identical with that of the total population of Troy.

The 282 street traders in Troy sell or carry newspapers, peddle on vegetable wagons, canvass articles from house to house, and a small group distributes movie programs for the three movie houses in a district which does little other advertising. The majority of the younger boys are employed as newspaper carriers.

The carriers practically monopolize the small earnings, that is, under 50 cents, and the sellers, together with boys who both carry and sell papers, earn the large amounts.

Tipping occurs both for carriers and sellers but more frequently with sellers and in much larger amounts. The reason for the excessive tipping to news sellers is easy to understand but not easy to stop. In this work the boy has to make change and if he is slow the customer often does not wait. Then too, the boy on the street corner is undoubtedly an appealing little creature, even in spite of himself, and a customer has a feeling of righteous indulgence by refusing the few cents change. In fact some customers regularly pay the boys more than the price of the paper. That a boy usually "gets wise" to this attitude can scarcely be questioned, and he soon learns to emphasize his appeal so as to secure a tip. There is no well-defined line between this attitude and that of begging. But when the boy learns to pretend he has not the change and thus makes extra money, the line between accepting a gift and petty thieving is distinctly drawn.

Without exception the earnings of boys who worked for themselves fell into the higher earning groups and as a consequence the earnings of sellers ran ahead of those of carriers.

Only 21 children, or 7 per cent, turned their earnings directly in to the family, but a considerable number, 28, saved all their money. Although a good many boys helped directly to increase the family earnings and some gave all for that purpose, the majority of the boys in all occupations disposed of their money to suit themselves. This tendency to be independent in disposing of their money was true of both younger and older boys, and indicates that as a whole the families did not need the earnings and that the boys were doing the work on their own responsibility.

The largest number, 159, worked on school days and also Saturdays, but not on Sundays. The majority of street traders worked less than 8 hours per week, and the largest group worked between 4 and 8 hours. Only 20 children worked more than 16 hours a week, but 5 were working over 28 hours, 2 of whom were on the streets more than 32 hours.

Thirteen boys were starting to work regularly between 6 and 7.30 a. m., hours not usually considered early, but when the boy has to arise and breakfast before going to work, which in wintertime means before daylight, the entire proceeding means considerable exertion for a young boy with a school day ahead of him later and perhaps, as in many cases, additional work after school hours.

Saturday is the newsboy's chance to make "big money" and even if he works only this one day he can often make as much as some of his comrades who work only on school days.

Seventy-five boys, or 27 per cent, either missed one meal at home every day, eating one meal in a cheap restaurant, or ate a cold meal at home alone. Most of the boys who have early morning work have

a hurried "bite" upon arising and a later breakfast, usually by themselves, before going to school, but a few of them wait until they finish their work before eating breakfast. On Sunday morning it was usual for boys to start at 6.30 or 7 and eat nothing until the late family breakfast some time between 9 and 11.30

The afternoon work often keeps the boy out until after the family supper hour, and he either eats in a restaurant before going home or a "left-over" meal alone after reaching home. Boys who sold or carried until 7.30 or 8 in the evening rarely had their evening meal with the family.

Undoubtedly irregular meals or long periods between meals do constitute a real danger for the boy. The absence of an early morning meal is not so serious, as the boy brings a whetted appetite to a hot breakfast before going to his work in school. But the boy who rushes to the newspaper office after school has no regular meal between breakfast and his late arrival at home. Furthermore, the meal hour is, with many families, the one time when all of them are together, and the fact that the street trader misses this regular family gathering, in addition to his spending so little of his time with the family, is a serious matter aside from any other injurious effects of street trading which may be traced directly to the work itself.

There seemed to be little doubt but what the 40 boys who claimed they started to work because the money was needed to secure the necessities of life for themselves or for the family were telling the truth, although only two boys who had started in because their father was unemployed were continuing because he still made insufficient money to support his family. Most of them admittedly were keeping up the work as a matter of habit after the time of acute need had passed.

It is with the boys who were working for lack of anything better to do that one finds the most interesting and amusing reasons for doing street work. It was difficult to determine at times whether the boy's own desire was stronger than the example of other working boys' for undoubtedly when boys repeatedly state "Everybody's doing it, and I might as well," there was some potency in the example. Most of them just wanted to be busy; one boy didn't "get any pleasure doing nothing"; another felt that time "was heavy" on his hands; and another that he might as well carry papers as "run on the streets." A carrier took an early morning route because he "didn't want to stay in bed so much." One boy thought it was "for my benefit" to work and keep busy.

The 282 street-trading children in Troy were working for obvious and, for the most part, trifling reasons. As in many other forms of child labor there is an absence of a powerful underlying cause for its existence.

While at work many of the boys admitted they played craps, rolled marbles for agates, or tossed pennies, and a few had lost such sizeable amounts that their parents had punished them. Some of these boys stated they had stopped, whereas a few said they played more carefully or only for small sums so "my father wouldn't hit me when I got home." A few boys stated they formerly played craps but had stopped because they were afraid of the "cops."

A goodly number of the boys admitted smoking, although most of them said they could find few dealers who would sell them ciga-

rettes. Usually they begged or bought them from men or older boys, and a few admitted picking up butts.

Although excessive absence is rare, the majority of the children had been irregular in attendance at school the past year, and a few days missed occasionally often prove a greater handicap to a child's progress in school than a long period of absence. Over one-half of the children between 8 and 16 years of age were from one to five years below the grade considered normal for their years.

It appears that the greatest single factor in causing retardation of the street trader is excessive weekly hours, although the child who has worked for several years for proportionately short hours is also affected in his school progress. For the child who is retarded for other reasons than his work, the advisability of his assuming street work which requires additional energy is to be seriously questioned. As in the matter of retardation and health it is extremely difficult to separate the factors which cause a child to become a delinquent and to isolate the effect of any one factor. Several effects apparently can be connected with street work. The boys do seem to become restless and nervous, which affects their actions under certain circumstances, and to show a tendency toward truancy in almost direct relationship to their length of street service and length of working hours. Further than that the field is open to conjecture.

As already shown the boys gamble and smoke while engaged in their work. Other boys who are not working may do the same. The chief menace to the street trader is that he has money constantly in his hands to use. No better statement of this situation can be made than the following from a newspaper man who began his career as a newsboy:

> The danger from gambling is worse for the boy who needs the money, or whose family needs it, than for the one who is working for the extra change it gives him or because he wishes to be on the streets with the other boys. The boy whose earnings are needed feels called upon to take a certain amount home and if he can not make this amount he feels he can gamble with the balance. If he loses to such an extent that he can not take the required amount home he falsifies to the family. If he gains he keeps it rather than tell his parents how he earned it. The boy whose earnings are not needed may gamble when with the other boys, but the pressure to account for a certain amount of money is absent and at least the boy does not have to falsify about what he does with his money inasmuch as no one calls him to account.

Although there was general knowledge regarding the necessity of a badge, few, if any, were aware of any limitation on hours and many believed the law did not apply to the boy with a route.

If the newsboys are to work legally a special officer must give his entire attention to it. In addition to the confusion and lack of knowledge, an easy tolerance regarding such work exists among the officials and public. Frequently one hears, "Such work keeps boys busy," "It don't hurt 'em any," and "The fellow who made that law had nothin' else to do." Only among newsdealers did one catch a note of need for regulation regarding ages and hours. One newsdealer said: "It don't do little boys no good to be on the streets so late at night, and if I could always get enough older boys I wouldn't let the little ones have any papers." Another, the largest in the city, said: "Practically none of the boys who sell for us need the money,

and I don't like to give papers to little boys because they are doing this for something to do and squander the money."

As a fitting conclusion I shall quote from a letter written by the editor of the paper having the largest circulation in that city:

I am a newspaper man and have had considerable experience with boys who are selling papers. There are two classes of them. One class delivers papers from a newsstand to a regular route of subscribers. The other class consists of the boys who buy papers at wholesale rates from the newspaper office and sell them to the street customers.

There are but two reasons for permitting this type of boy to sell papers before he reaches a suitable age. One of these is to help his family. The second is to give him an outlet for his natural desire to bargain and thus instill independent business principles in his mind when he has the desire to gain such an insight. My own experience is that a much smaller proportion of newsboys in cities like Troy and Schenectady contribute their money to the family exchequer than has been supposed. They all claim to do so, but such investigation as I make shows that few of them turn it in at all, while many turn very little of it in. A large number of them lie to their parents and keep most of their earnings for the pleasure of shooting craps, pitching pennies, and gambling with cards, and going surreptitiously to the movies. For example, Monday I saw nine newsboys on the steps of the United Presbyterian Church of this city shooting craps. While this class are apt to be foreigners or stunted in growth, my judgment is that half of them were under 12 years of age. Even if some of their earnings go for family support, it seems to me that it is poor policy to let them help their families at the expense of their morals. Newsboy morals in Troy, at least, are nothing to be proud of. Recently it has been necessary to keep a policeman near our back door because the newsboys were shouting foul names across the street to little girls in a primary school.

As far as permitting boys to develop their business ability when they wish to develop it, I might even say that there are many things a boy of 10 or 11 wishes to develop that is not wise to permit. For example, my 9-year old boy is very anxious to learn to drive my car. I do not believe his judgment is well enough developed for such an experience even on a country road. Moreover his nervous system is still in an embryonic state and it is not suitable for such unconscious strains. Medical science teaches us that in the average boy the period of adolescence begins in the thirteenth year. The age of 12, therefore, is the very earliest at which we properly can permit a boy to take upon himself that independent unguided life which is involved in a street business. There are many single extraordinary cases where this could be done earlier. Adolescence begins in some boys where it does not in others. I had a heavy beard before I was 14 and had to use a razor before my fifteenth birthday, but this is no reason for making it a rule that boys must shave at 14. I personally believe it is the duty of adults to protect, guide, and restrain boy life until adolescence begins, after which the method of approach must be changed and one must counsel more as a superior. I have taken this up in two or three other cities and find that the shooting of craps with earnings is everywhere the rule of newsboys. I find the proportion that does this seems, to those who have observed it, to be much more with newsboys than in other boys, presumably because other boys have not the money with which to indulge their desire to match luck with their fellows.

It is not, therefore, a question of capability in selling papers, or a case of good standing in school altogether, although I have seen many cases of boys who played hookey to make a little extra money when they were short. It is because a boy who is still a child should not be permitted to take upon himself burdens which limit his playtime and plunge him into certain excitements which become passions with him. Ignatius Loyola said, "Give me a child until he is seven and I care not what you do with him thereafter." He should have brought the age to the time of adolescence. To cultivate an independence on the streets, with the temptations, the long distance from home, the class of associations, the presence in the pocket of the means wherewith to gamble or go to the movies unhindered by parents or guardians, is to start trains of conduct and thought which all the influence thereafter will be unable to eradicate. Personally I believe that a child up to the age of adolescence has a right to all his playtime for play, and that if men and communities were as interested in providing

places and leadership for that play as they often are in providing avenues through which to break down his playtime and offer him something worse because he likes it, they address the problem in the absolutely wrong direction.

There are some other points to this issue which, unfortunately, I can not put on paper, but which you may guess and of which I should like to talk to you at any time.

Let us now check up on the findings of street-trades studies elsewhere. First as to the alleged need for the child's earnings. In the famous Cincinnati study made by Hexter we read, "To the question why children sell papers on the city streets casual observers answer 'economic necessity.' The present study found that only one newsboy in seven is the child of a widow. Only 4 per cent of the newsboys come from families in which the income, exclusive of that supplied by the newsboy is insufficient to provide that family with a minimum normal standard of living. Economic necessity is a very small factor in impelling boys to sell papers." And he concludes, "American investigations are in accord on the fact that the earnings of newsboys are pitifully small in comparison to the dangers to which they are exposed, and European investigations corroborate this."

On other causes leading boys into street trades the reports agree that the ex-newsboy who has attained local prominence is a marked factor.

On the retardation of newsboys all the reports coincide. There is some variance of percentages, due, probably, to the varying proportion foreign born in the different communities. But that street traders are retarded in school far in excess of the general school population they all agree. Cincinnati reports that "54 per cent of the newsboys are retarded in school as compared with 40 per cent in the general school membership, and this in spite of the fact that newsboys have less mental deficiency than the average; newsboys have nearly twice the general proportion of abnormally advanced children. Among newsboys who attend school the street competes constantly for attention with the school. An increase in attention upon one or the other of these two competing forces brings a decrease in the other.

The Dallas, Tex., study shows 79.9 per cent retarded. In Springfield, Mass., 21.5 per cent of the newsboys were retarded as compared with 14.2 per cent of the general school enrollment. In Toledo, Ohio, 47.8 per cent of the newsboys were retarded as against 29.2 per cent of all Toledo school children. The only exception to the reports on retardation is that of high-school boys in Seattle.

On truancy the figures again prove the condition to be more prevalent among street traders than among school children as a whole. Dallas shows that 25 per cent of the newsboys are truant, and Springfield that there are three and one-half times as many truants among newsboys as among school children as a whole. Hexter says that 16.4 per cent of the proportion of Cincinnati schoolboys are newsboys and that of these 31.6 per cent were truants. In that city sellers are truants twice as much as are carriers.

On deliquency, to quote again from the Cincinnati report:

Gambling is very common among boys waiting for their papers. * * * The findings of investigations here and abroad point to the conclusion that newsboys invariably present a disproportionate amount of truancy.

The newsboys of Dallas contributed two and three-fourth times the percentage to delinquency as did the boy population as a whole. The Springfield report says "an indication that newspaper selling leads to delinquency is shown by the higher percentage of newsboys among delinquents than of newsboys in the total age group." Five and two-tenths per cent had been delinquent during the past year as compared with 3.7 per cent of the boy population.

Professor Britton, of Chicago, says that it costs the State twice what the average newsboy earns to take care of him if he becomes delinquent.

On the health of newsboys the Cincinnati report calls attention to the fact that in all but two types of defects—nervousness and pulmonary—newsboys present a much larger proportion of physical defects than other schoolboys and three times as much cardiac disease. There is also a disproportionate amount of illness and undernourishment not attributed to poverty. Fatigue is very marked and is 50 per cent greater among boys working 30 hours a week than among those working 20. And Ruth McIntyre follows with the statement that: "It is not social economy to permit premature work, night work, and before-and-after-school work on the part of newsboys. The newsboys as a group impose a heavy tax upon the State as public charges."

But perhaps the most significant statement is to be found in the prospectus of the Boston Newsboys Club:

> The newsboy is a business factor in the life of the community. To-morrow he will be in business for himself and standards set for him to-day will be the prevailing influence of the future.

DISCUSSION

The CHAIRMAN. I should like to hear some discussion concerning the employment of children in theaters, and a brief discussion of the effect of child labor on the unemployment problem. I should also like to have someone tell us something about miscellaneous occupations. In Oklahoma we have undertaken to enforce the child labor law in theaters, and, considering the problem and the amount we have on hand, we have done it fairly well. In the miscellaneous occupations the commissioner of labor in Oklahoma has the responsibility of bringing under the child labor law any occupation, not specifically mentioned in the law, which he may determine is injurious to the health or morals or especially hazardous to life and limb, and after such declaration the occupation comes under the law applying to children up to the age of 16 years. We have brought under this provision of the law messenger service, telegraph messenger service, and delivery service in drug stores and other establishments. While we have had some trouble, from the drug stores especially, we have been fairly successful in enforcing the law as to miscellaneous occupations. Is there anyone present who would like to discuss the problem of child labor in connection with the problem of unemployment?

Mr. FRYE. I remember periods when unemployment was so great that our permit board, very sensibly I think, advised the commissioner that no permits would be issued as long as men were out of work.

The CHAIRMAN. I should like to ask if Mr. Meeker has anything to say on this subject?

Mr. MEEKER. When I was in charge of the department of labor and industry during 1923 my attention was called rather early to the fact that children under age were employed on the stage, and to the further fact that it was always regarded as an occupation in which the child labor law would not be enforced. There was a case pending before a judge in Philadelphia at the time, the case having been brought by the Society for the Prevention of Cruelty to Children. The justice handed down a decision in which he interpreted the State law just as I interpreted it. He said that the language of the law meant just exactly what it said, and it forbade all children under 14 years of age being employed in any occupation in which compensation is paid.

Immediately after that decision was handed down by the judge I took up the enforcement of the child labor law in theaters. Shortly after we had the decision of the judge a gentleman came into my office with his two "meal tickets," the first aged 8 and the second aged about 5. He had them perform before me and the chief of the bureau of inspection and some of the inspectors who were there for a conference with me. After he had gone, I instructed the chief of the bureau of inspection to call on the theater management in which these children were billed to perform and tell them they were violating the child labor act, and if they did perform we would prosecute. They did not perform. The man had put on this act in other cities of the State, and in order to make a test case, we brought prosecution against him in the city of Lancaster and won the case. He threatened to appeal, but he did not. He got out of the State.

The next day the manager of a troupe of children which had been giving performances in another city came to Harrisburg to see me and asked me to make a special dispensation in his case. He said that he had been put to great expense in advertizing; that if the show did not go on he could not pay the expenses; that the populace would be very much disappointed; and so on and so on. I told him I had nothing to do with that, that my function was to enforce the law; that if he gave another performance he would be prosecuted. He said he was very sorry he had come down. I told him it was the most sensible thing he had done in his life, because he most certainly would have been hauled up before the court and fined heavily. He did not give any performances in our city.

Another child labor employer of theatrical children left the State between dark and daylight. I have heard rumors since to the effect that child performances have been given within the State, but either the rumor has been false, or these people have gotten away, perhaps to the State of New Jersey, or some other community before we could catch them. Our law forbids the employment of children under the age of 14. I think it is a very drastic law. However, that is none of my business; I am not amending it. When children under the age of 14 are employed, if I get the information, and can get to the performances, they are going to be prosecuted.

This question of children on the street is a pretty serious one. Our law permits children of 12 and over to sell newspapers, I think up to 8 o'clock, but I have seen children 8 and 10 years old—they looked that young, but you can never be sure of the age of a child on the

street, because such children are stunted and dwarfed. I have seen them work long after 8, but unfortunately the enforcement of that part of our law falls upon the local police authorities, and our inspectors from the bureau of inspection often find that if it is called to the attention of the big fat traffic policeman on the corner that this small child is selling newspapers at 9 or 10 o'clock at night, that the policeman answers, "He is a fine little fellow, isn't he?" That is the way that part of the law is being enforced. I do not know whether we will be able to get any amendment through in the next session of the legislature. If we do get it through, we are going to have a difficult time enforcing the law, because we have not a sufficient number of inspectors to follow it up. So far as the employment of children in theaters is concerned, thus far the better theater owners and managers are ready to cooperate with us. They do not seem particularly bent upon exploiting child labor. I presume, however, if we keep on enforcing this child labor law as to theatrical child labor, we will have our difficulties just as the others have.

Miss MINOR. So far as theatrical children are concerned, if the profit could be taken out, that sort of labor would expire very quickly. It is the abnormal wage paid the children which stimulates adults to put children on the stage.

Miss JOHNSTON. Indiana is enforcing the clause in its child labor law which says no child under the age of 16 years may be permitted to work in any capacity in any theater. We have successfully prosecuted two Indianapolis theater managers and two in other cities and have been receiving splendid cooperation from the men who were prosecuted, because after we brought their cases they were very eager to report other violators.

Mr. MEEKER. I move a rising vote of appreciation to the State of Indiana. [So ordered.]

Mr. STEWART. In view of the fact that it is the first time that Indiana has shown itself in any of these meetings, I think a rising vote of thanks is very proper.

[The committee appointed to draw up a recommendation to be forwarded from this body to Congress then in session, reported its recommendation, as follows:

The Association of Governmental Labor Officials of the United States and Canada meeting in annual convention in Chicago, May 22, 1924, declare the belief that the enactment of Federal child labor legislation will aid the States in the enactment and administration of child labor laws; and since the Supreme Court of the United States has declared that Congress has no authority to enact child labor legislation without amendment to the constitution;—

Therefore the members of the association representing 31 States unanimously urge the passage at this session of Congress of the child labor Constitutional amendment without modification in the form in which it passed the House of Representatives on April 26.

This recommendation was adopted and copies were sent to all United States Senators.

Meeting adjourned.]

FRIDAY, MAY 23—MORNING SESSION

JOHN HOPKINS HALL, JR., PRESIDENT A. G. L. O., PRESIDING

BUSINESS SESSION

REPORT OF COMMITTEE ON REPORTS OF OFFICERS

After careful consideration of the presidential address, we, your committee, wish to compliment President Hall and the association on the able document and upon the achievements of the year.

We approve of the recommendation that in future programs at least one speaker from a mining section shall present the problem of coal-mining accidents and working conditions, and so recommend to the incoming executive committee We approve of the recommendation that the executive committee shall be authorized and requested to urge publicity and if possible compliance with all agreed solutions of all industrial, economic, safety, and sanitary subjects.

Your committee also examined the report of the secretary-treasurer, and not only recommends its approval but wish to express our appreciation of the splendid work of the secretary, and the clearness and completeness of her financial report.

Respectfully submitted.

ETHELBERT STEWART, *Chairman.*
W. I. REILLY.
R. T. KENNARD.
Mrs. DELPHINE JOHNSON.
A. L. URICK.

REPORT OF AUDITING COMMITTEE

Your committee has made detailed examination of the accounts of the secretary-treasurer, and find the receipts and expenditures as indicated on the attached statement, and the cash balance, all in bank, as $572.59.

THOS. M. MOLLOY.
HENRY MCCOLL.
F. M. WILCOX.
ETHEL M. JOHNSON.
J. H. CRAWFORD.

MAY 22, 1924.

REPORT OF COMMITTEE ON RESOLUTIONS

1. *Resolved,* That the Association of Governmental Labor Officials, in convention assembled, ask Congress to submit a constitutional amendment providing for a Federal 48-hour law for minors under 16, in order that legislation of this nature may be made uniform throughout the United States. [Adopted.]

2. *Resolved,* That the president of the association appoint a committee on uniform safety laws, or continue the life of the present committee in order to permit the adoption of uniform safety codes in the States. [Adopted.]

3. *Resolved,* That in the untimely death of Carl Hookstadt, of the United States Bureau of Labor Statistics, this association recognizes the loss of an able

investigator, an enthusiastic worker, and an authority in the field of industrial research; be it further

Resolved, That a copy of this resolution be sent to the mother of Mr. Hookstadt. [Adopted.]

4. *Resolved*, That for faithful and distinguished service as president, the name of Hon. John Hopkins Hall, jr., be placed on the roster of the association membership as a lifetime member. [Adopted.]

5. *Resolved*, That the association extend its appreciation and sincere thanks to the members of the Department of Labor of Illinois, and to the members of other organizations in Chicago, who through their untiring efforts have contributed to the pleasure and well-being of the delegates in convention at Chicago; be it further

Resolved, That the appreciation of the convention be given to the chairman of the committee on publicity and to the press for the publicity given the proceedings of the association. [Adopted.]

6. *Resolved*, That the Association of Governmental Labor Officials extend to Ethelbert Stewart, Commissioner Bureau of Labor Statistics, United States Department of Labor, its thanks for his courtesy in printing the tenth annual report of the proceedings of the convention held at Richmond, Va.; be it further

Resolved, That he be requested to print the proceedings of the eleventh annual convention held at Chicago, Ill. [Adopted.]

7. *Resolved*, That the executive board of this association, through its secretary, be instructed to communicate with the governors and legislators of those States and Provinces having unsatisfactory safety laws, in order that the influence of this organization may be directed to assisting such States and Provinces in this humanitarian work; be it further

Resolved, That a copy of this resolution, No. 7, be sent to the heads of the departments of labor, etc., in the States and Provinces in order that proper consideration may be given to the matter of cooperation with the administrative authorities prior to such suggested correspondence with the governors, legislators, etc., in the States and Provinces. [Adopted.]

8. Whereas, since the last convention it has pleased an all wise Providence to remove from our midst Hon. Lewis T. Bryant, commissioner of the department of labor of New Jersey; and

Whereas, with unselfish devotion he gave himself to the public service, and by his wisdom and progressive spirit left an indelible imprint upon the field of labor with which he was concerned, and a vacancy in the ranks of this association; therefore be it

Resolved, That the members of the eleventh annual convention extend our sympathy to his bereaved family; and be it further

Resolved, That this resolution be spread on the minutes of the convention and a copy be sent to his bereaved family in New Jersey. [Adopted.]

A motion was made and passed that it is the sense of the convention that in the future the association discontinue its present practice of electing a president from the State in which the convention is held, as this practice ties the hands of the association and is not to its best interests.

A motion was also made and passed that a committee be appointed from the association to confer with a committee from the National Association of Legal Aid Bureaus for the purpose of facilitating the collection of wage debts.

ELECTION OF OFFICERS

The following officers were elected for the ensuing year:

President—George B. Arnold, director department of labor, Springfield, Ill.
First vice president—T. A. Wilson, commissioner bureau of labor, Little Rock, Ark.
Second vice president—H. C. Hudson, general superintendent Employment Service of Canada, Toronto, Canada.
Third vice president—Maud Swett, director women's department, industrial commission, Milwaukee, Wis.
Fourth vice president—Alice McFarland, director women's work, court of industrial relations, Topeka, Kans.
Fifth vice president—Herman Witter, director department of industrial relations, Columbus, Ohio.
Secretary-treasurer—Louise E. Schutz, superintendent division of women and children, industrial commission, St. Paul, Minn.

The association voted to hold its next convention in Salt Lake City, Utah, preferably some time between the 1st and 15th of June, 1925,[1] when summer rates have taken effect.

The convention adjourned to meet in Salt Lake City in 1925.

[1] It was later decided to hold the convention Aug. 13–15, 1925.

APPENDIX

LIST OF PERSONS WHO ATTENDED THE ELEVENTH ANNUAL CONVENTION OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICALS

UNITED STATES

Arkansas

Mrs. Florence McRaven, secretary industrial welfare commission, Little Rock.
T. A. Wilson, commissioner bureau of labor and statistics, Little Rock.

Colorado

William I. Reilly, chairman industrial commission, Denver.

Connecticut

Sarah Apter, factory inspector, department of labor and factory inspection, Hartford.
F. C. Braun, mercantile inspector, Danbury.
J. J. Burk, assistant commissioner, department of labor and factory inspection, Windsor Locks.

Delaware

Charles A. Hagner, chief child labor division, labor commission, Wilmington.
Marguerite Postles, assistant women's labor division, labor commission, Wilmington.

Georgia

L. J. Kilburn, industrial commission, Atlanta.
H. M. Stanley, commissioner department of commerce and labor, Atlanta.

Illinois

Peter T. Anderson, superintendent Illinois free employment office, Rock Island
George B. Arnold, director department of labor, Springfield.
Dr. A. H. R. Atwood, Federal director U. S. Employment Service, Chicago.
H. D. Battles, supervisor of vocational education, Chicago.
Charles J. Boyd, general superintendent Chicago free employment office, Chicago.
Linna E. Brisette, National Catholic Welfare Council, Chicago.
O. L. Carlmark, Moline Plow Co., Moline.
R. D. Clark, field agent for educational rehabilitation, Springfield.
C. N. Clark, field agent for educational rehabilitation, Springfield.
Barney Cohen, director, U. S. Employment Service, Chicago.
Prof. F. S. Deibler, president advisory board, Illinois free employment offices, Chicago.
Dan. Dineen, department of labor, Decatur.
Richard L. Dye, assistant director department of labor, Springfield.
H. C. Emerson, superintendent Illinois free employment office, Quincy.
A. L. Griggs, employment manager, Kewanee.
Emma M. Hurdman, Women's Collegiate Bureau, Chicago.
L. C. Jones, superintendent, Illinois free employment office, Bloomington.
J. L. Kolb, State supervisor of industrial education, Springfield.
Claude Lacy, field agent educational rehabilitation, Metropolis.
James Lindsey, superintendent Illinois free employment office, Springfield.
C. A. Livingston, Illinois Manufacturers' Association, Chicago.

John McKenna, chief inspector private employment offices, Chicago.
Mary McDowell, commissioner of public welfare, Chicago.
Thomas Metts, superintendent Illinois free employment office, Peoria.
S. A. Moran, superintendent Illinois free employment office, Decatur.
P. G. Nix, field agent department of labor, Chicago.
Victor T. Noonan, Mayor's Safety Commission, Chicago.
J. O'Malley, Edison Co., Chicago.
W. J. Payne, superintendent Illinois free employment office, Danville.
Frank Raduenz, superintendent Illinois free employmeut office, Aurora.
Llewelyn Rogers, superintendent Illinois free employment office, Joliet.
Roy E. Stacer, superintendent Illinois free employment office, East St. Louis.
J. E. Tults, assistant supervisor of industrial education, Springfield.
G. R. Voss, Commonwealth Edison Co., Chicago.
W. D. Walker, field agent educational rehabilitation, La Salle.

Indiana

Freda Hershey, inspector department of women and children, industrial board, Indianapolis.
Elizabeth Johnston, inspector department of women and children, industrial board, Indianapolis.

Iowa

A. L. Urick, commissioner bureau of labor statistics, Des Moines.

Kansas

Judge J. H. Crawford, presiding judge, court of industrial relations, Topeka.
Agnes Hannigan, inspector, Topeka.
Alice K. McFarland, director women's work, court of industrial relations, Topeka.
Lucille Sterling, inspector, Topeka.
Judge Joseph Taggart, court of industrial relations, Kansas City.

Kentucky

R. T. Kennard, member workmen's compensation board, Frankfort.

Louisiana

Carmelite Janvier, office of factory inspector, New Orleans.
Frank E. Wood, commissioner, bureau of labor and industrial statistics, New Orleans.

Maryland

Rowena O. Harrison, director of claims, State industrial accident commission, Baltimore.

Massachusetts

Ethel M. Johnson, assistant commissioner, department of labor and industries, Boston.
E. Leroy Sweetser, commissioner department of labor and industries, Boston.

Minnesota

Henry McColl, chairman industrial commission, St. Paul.
Louise Schutz, superintendent division of women and children, industrial commission, St. Paul.

New Hampshire

John S. B. Davie, commissioner bureau of labor, Concord.

New Jersey

John Roach, deputy commissioner department of labor, Trenton.

New York

John Andrews, secretary American Association for Labor Legislation, New York.
R. A. Flinn, assistant Federal director, U. S. Employment Service, New York.
E. Kowleski, U. S. Employment Service, Rochester.
Owen R. Lovejoy, general secretary National Child Labor Committee, New York.
Sara McPike, secretary department of labor, New York.
Jeanie Minor, secretary National Child Labor Committee, New York.
H. W. Mowery, secretary National Safe Walkway Surface Code Committee, New York.

North Dakota

Dorothy Blanding, secretary minimum wage commission, Bismarck.

Ohio

O. W. Brach, chief division of labor statistics, department of industrial relations, Columbus.
T. J. Duffy, chairman industrial commission, department of industrial relations, Columbus.
George J. Henry, superintendent employment service, Warren.
B. C. Seiples, superintendent State city employment service, Cleveland.
H. R. Witter, director department of industrial relations, Columbus.

Oklahoma

Claude E. Connally, commissioner department of labor, Oklahoma City.
Mrs. Edith B. Evans, inspector, department of labor, Oklahoma City.

Pennsylvania

Royal Meeker, secretary department of labor and industry, Harrisburg.

Texas

Joseph S. Myers, commissioner bureau of labor statistics, Austin.

Utah

G. R. Yearsley, chief factory inspector, Salt Lake City.

Virginia

John Hopkins Hall, Jr., commissioner bureau of labor and industrial statistics, Richmond.
P. D. Stewart, director employment service, Richmond.
Emma F. Ward, director division of women and children, bureau of labor and industrial statistics, Richmond.

Washington

Mrs. Delphine M. Johnson, secretary industrial welfare committee, department of labor and industries, Olympia.

West Virginia

Howard Jarrett, chief clerk bureau of labor, Charleston.
R. E. Mumaugh, State factory inspector, Parkersburg.

Wisconsin

A. J. Altmeyer, secretary industrial commission, Madison.
Mrs. E. Essman, women's department, industrial commission, Milwaukee.
W. F. Faulks, State supervisor of rehabilitation, Madison.
Taylor Frye, director child labor department, industrial commission, Madison.
Catherine Hickey, industrial commission, Madison.

Prof. D. D. Lescohier, University of Wisconsin, Madison.

Harry Lippert, men's employment division, Milwaukee.
R. G. Knutson, director employment department, Madison.
Evelyn Shaw, industrial commission, Milwaukee.
Alice B. Smith, industrial commission, Milwaukee.
Brice M. Stewart, employment manager, Milwaukee.
Maud Swett, director women's department, industrial commission, Milwaukee.
F. M. Wilcox, chairman industrial commission, Madison.

Federal Government

Charles E. Baldwin, Assistant Commissioner of Labor Statistics.
L. W. Chaney, U. S. Bureau of Labor Statistics.
Francis I. Jones, Director General Employment Service.
Carl B. Nelson, U. S. Bureau of Labor Statistics.
Agnes Peterson, Assistant Director Women's Bureau.
Ethelbert Stewart, Commissioner of Labor Statistics.

CANADA

Manitoba

D. L. McLean, deputy minister of public works, Winnipeg.

Ontario

H. C. Hudson, general superintendent employment service, Toronto.

Saskatchewan

Thomas M. Molloy, commissioner bureau of labor and industries, Regina.

Federal Government

R. A. Rigg, Director of Employment Service, Ottawa.

SERIES OF BULLETINS PUBLISHED BY THE BUREAU OF LABOR STATISTICS

The publication of the annual and special reports and of the bimonthly bulletin was discontinued in July, 1912, and since that time a bulletin has been published at irregular intervals. Each number contains matter devoted to one of a series of general subjects. These bulletins are numbered consecutively, beginning with No. 101, and up to No. 236; they also carry consecutive numbers under each series. Beginning with No. 237 the serial numbering has been discontinued. A list of the series is given below. Under each is grouped all the bulletins which contain material relating to the subject matter of that series. A list of the reports and bulletins of the bureau issued prior to July 1, 1912, will be furnished on application. The bulletins marked thus * are out of print.

Wholesale Prices.

*Bul. 114. Wholesale prices, 1890 to 1912.
Bul. 149. Wholesale prices, 1890 to 1913.
*Bul. 173. Index numbers of wholesale prices in the United States and foreign countries.
*Bul. 181. Wholesale prices, 1890 to 1914.
*Bul. 200. Wholesale prices, 1890 to 1915.
Bul. 226. Wholesale prices, 1890 to 1916.
Bul. 269. Wholesale prices, 1890 to 1919.
Bul. 284. Index numbers of wholesale prices in the United States and foreign countries. [Revision of Bulletin No. 173.]
Bul. 296. Wholesale prices, 1890 to 1920.
Bul. 320. Wholesale prices, 1890 to 1921.
Bul. 335. Wholesale prices, 1890 to 1922.
Bul. 367. Wholesale prices, 1890 to 1923.

Retail Prices and Cost of Living.

*Bul. 105. Retail prices, 1890 to 1911: Part I.
Retail prices, 1890 to 1911: Part II—General tables.
*Bul. 106. Retail prices, 1890 to June, 1912: Part I.
Retail prices, 1890 to June, 1912: Part II—General tables.
*Bul. 108. Retail prices, 1890 to August, 1912.
*Bul. 110. Retail prices, 1890 to October, 1912.
*Bul. 113. Retail prices, 1890 to December, 1912.
*Bul. 115. Retail prices, 1890 to February, 1913.
*Bul. 121. Sugar prices, from refiner to consumer.
Bul. 125. Retail prices, 1890 to April, 1913.
*Bul. 130. Wheat and flour prices, from farmer to consumer.
Bul. 132. Retail prices, 1890 to June, 1913.
Bul. 136. Retail prices, 1890 to August, 1913.
*Bul. 138. Retail prices, 1890 to October, 1913.
*Bul. 140. Retail prices, 1890 to December, 1913.
Bul. 156. Retail prices, 1907 to December, 1914.
Bul. 164. Butter prices, from producer to consumer.
Bul. 170. Foreign food prices as affected by the war.
Bul. 184. Retail prices, 1907 to June, 1915.
Bul. 197. Retail prices, 1907 to December, 1915.
Bul. 228. Retail prices, 1907 to December, 1916.
Bul. 270. Retail prices, 1913 to December, 1919.
Bul. 300. Retail prices, 1913 to December, 1920.
Bul. 315. Retail prices, 1913 to December, 1921.
Bul. 334. Retail prices, 1913 to December, 1922.
Bul. 357. Cost of living in the United States.
Bul. 366. Retail prices, 1913 to December, 1923.
Bul. 369. The use of cost of living figures in wage adjustments. (In press.)

Wages and Hours of Labor.

Bul. 116. Hours, earnings, and duration of employment of wage-earning women in selected industries in the District of Columbia.
*Bul. 118. Ten-hour maximum working-day for women and young persons.
Bul. 119. Working hours of women in the pea canneries of Wisconsin.
*Bul. 128. Wages and hours of labor in the cotton, woolen, and silk industries, 1890 to 1912.
*Bul. 129. Wages and hours of labor in the lumber, millwork, and furniture industries, 1890 to 1912.
*Bul. 131. Union scale of wages and hours of labor, 1907 to 1912.
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