

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

**BULLETIN OF THE UNITED STATES } . . . . No. 455**  
**BUREAU OF LABOR STATISTICS }**

MISCELLANEOUS SERIES

**PROCEEDINGS OF THE  
FOURTEENTH ANNUAL CONVENTION  
OF THE ASSOCIATION OF GOVERN-  
MENTAL LABOR OFFICIALS OF THE  
UNITED STATES AND CANADA**

**HELD AT PATERSON, N. J.**  
**May 31 - June 3, 1927**



**December, 1927**

**UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON  
1927**

**ADDITIONAL COPIES  
OF THIS PUBLICATION MAY BE PROCURED FROM  
THE SUPERINTENDENT OF DOCUMENTS  
U.S. GOVERNMENT PRINTING OFFICE  
WASHINGTON, D. C.  
AT  
25 CENTS PER COPY**

## CONTENTS

	Page
Officers, 1926-27.....	vi
Constitution.....	vi-viii
Development of the Association of Governmental Labor Officials.....	viii, ix

### TUESDAY, MAY 31—EVENING SESSION

Andrew F. McBride, M. D., commissioner of labor of New Jersey, presiding.	
Summary of opening session.....	1

### WEDNESDAY, JUNE 1—MORNING SESSION

Business session. John S. B. Davie, president Association of Governmental Labor Officials, presiding.	
Report of secretary-treasurer.....	2, 3
New labor legislation—	
Report of Arkansas.....	3, 4
Report of Georgia.....	4
Report of Illinois.....	4, 5
Report of Kansas.....	5
Report of Louisiana.....	6
Report of Massachusetts.....	6-8
Report of Michigan.....	8, 9
Report of Minnesota.....	9, 10
Report of New Hampshire.....	10
Report of New Jersey.....	10
Report of New York.....	11, 12
Report of Pennsylvania.....	12
Report of Virginia.....	12, 13
Report of Wisconsin.....	13-17
Report of Canada.....	17
Report of Ontario.....	17, 18
Discussion :	
James H. H. Ballantyne, of Ontario.....	18, 19
Ethelbert Stewart, of Washington, D. C.....	18, 22
Mary Anderson, of Washington, D. C.....	19, 20
John B. Andrews, of New York.....	20-22
Ethel M. Johnson, of Massachusetts.....	23
Report on legal aid (by Ethelbert Stewart).....	23-25
U. S. Bureau of Labor Statistics' study on "Exploitation of labor through nonpayment of wages and efforts of labor offices to enforce payment".....	25-33
Report of committee on statistics.....	33, 34
Discussion on legal aid :	
John Bradway, of Philadelphia.....	34, 35
Report on safety codes.....	35, 36
Discussion :	
Ethelbert Stewart, of Washington, D. C.....	36, 37
Report on industrial accident prevention conference.....	37
Report on amendments to the constitution.....	38

**WEDNESDAY, JUNE 1—AFTERNOON SESSION**

	Page
<b>Employment. James H. H. Ballantyne, Deputy Minister of Labor of Ontario, presiding.</b>	
Public employment methods, by Russell J. Eldridge, director of employment New Jersey Department of Labor.....	41-51
Discussion:	
T. S. Wharton, of Virginia.....	51
John H. Hall, jr., of Virginia.....	51, 54
Russell J. Eldridge, of New Jersey.....	51, 55
E. J. Brock, of Michigan.....	51-55
Ethelbert Stewart, of Washington, D. C.....	53, 54
John S. B. Davie, of New Hampshire.....	54, 55
Frank J. Plant, of Ontario.....	55
Ethel M. Johnson, of Massachusetts.....	56
Joseph Spitz, of New Jersey.....	56-58

**WEDNESDAY, JUNE 1—EVENING SESSION**

<b>Inspection and safety. John P. Meade, director division of industrial safety, Massachusetts, presiding.</b>	
Nonmachinery accidents, by James A. Hamilton, industrial commissioner New York Department of Labor.....	59-62
Labor laws as a means of preventing diseases of occupation, by John Roach, deputy commissioner of labor New Jersey Department of Labor.....	62-66
Mine safety work, by William Boncer, first vice president Mine Inspectors' Institute of America.....	67-71

**FRIDAY, JUNE 3—MORNING SESSION**

<b>Women and children in industry. Maud Swett, field director woman and child labor department, Industrial Commission of Wisconsin, presiding.</b>	
Report of committee on migratory children and children in commercialized agriculture.....	72, 73
Report of committee on industrial home work.....	73-77
Summary of information furnished by State labor officials.....	77-96
The work of a bureau of women and children, by Charlotte Carr, director Pennsylvania Bureau of Women and Children.....	96-99
<b>Experience section. Ethel M. Johnson, assistant commissioner, Department of Labor and Industries of Massachusetts, presiding.</b>	
Discussion:	
Mary Anderson, of Washington, D. C.....	100, 101
Nelle Swartz, of New York.....	101-115
Charlotte Carr, of Pennsylvania.....	102-110
Charles H. Weeks, of New Jersey.....	103
Maud Swett, of Wisconsin.....	104-115
Richard A. Flinn, of New York.....	105
Jeanie Minor, of New York.....	106, 115
Ethelbert Stewart, of Washington, D. C.....	107-117
George H. Hall, of New York.....	111
John P. Meade, of Massachusetts.....	111, 112
Florence Kelley, of New York.....	112, 113
John Roach, of New Jersey.....	113, 114
William Boncer, of Virginia.....	115, 116
Nellie Slabeck, of New Jersey.....	117, 118

**FRIDAY, JUNE 3—AFTERNOON SESSION**

	Page
<b>Conciliation and arbitration. H. M. Stanley, commissioner Department of Commerce and Labor of Georgia, presiding.</b>	
Conciliation in labor disputes, by John A. Moffitt, United States Conciliation Service.....	119-125
Discussion :	
Frank J. Plant, of Ontario.....	125
John A. Moffitt, of Washington, D. C.....	125, 126
James H. H. Ballantyne, of Ontario.....	125
Report of committee on resolutions.....	126, 127
Report of committee on officers' reports.....	127
Report of committee on constitution and by-laws.....	127
Election of officers.....	128

**APPENDIX**

List of persons who attended the fourteenth annual convention of the Association of Governmental Labor Officials.....	129-131
---	---------

## OFFICERS, 1926-27

*President*—John S. B. Davie, Concord, N. H.  
*First vice president*—R. H. Lansburgh, Harrisburg, Pa.  
*Second vice president*—R. T. Kennard, Frankfort, Ky.  
*Third vice president*—Maud Swett, Milwaukee, Wis.  
*Fourth vice president*—H. C. Hudson, Toronto, Canada.  
*Fifth vice president*—M. H. Alexander, Denver, Colo.  
*Secretary-treasurer*.—Louise E. Schutz, St. Paul, Minn.

---

## CONSTITUTION

Adopted at Chicago, Ill., May 20, 1924; amended August 15, 1925; June 3, 1927

### 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, United States Bureau of Mines, and the Department of Labor of the Dominion of Canada; such representatives of the 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, and the American representative of the International Labor Office, 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 a 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.....	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.....	do.....	Do.
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

No.	Date	Convention held at—	President	Secretary-treasurer
1	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.....	do.....	
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.....	Davis 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 MEETING 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.

## 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 E. Schutz.
11	May, 1924.....	Chicago, Ill.....	John Hopkins Hall, jr.....	Do.
12	August, 1925.....	Salt Lake City, Utah.....	George B. Arnold.....	Do.
13	June, 1926.....	Columbus, Ohio.....	H. R. Witter.....	Do.
14	May-June, 1927.....	Paterson, N. J.....	John S. B. Davie.....	Do.



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

NO. 455

WASHINGTON

DECEMBER, 1927

## PROCEEDINGS OF THE FOURTEENTH ANNUAL CONVENTION OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS OF THE UNITED STATES AND CANADA, PATERSON, N. J., MAY 31-JUNE 3, 1927

*TUESDAY, MAY 31—EVENING SESSION*

**ANDREW F. McBRIDE, M. D., COMMISSIONER OF LABOR OF NEW JERSEY,  
PRESIDING**

The fourteenth annual convention of the Association of Governmental Labor Officials of the United States and Canada convened the evening of May 31 at the Alexander Hamilton Hotel, Paterson, N. J., where a banquet was served to the visiting delegates, members of the Department of Labor of New Jersey, representatives of the Manufacturers' Association, and members of the Chamber of Commerce.

After the banquet Dr. Andrew McBride, Commissioner of Labor of New Jersey, acting as toastmaster, introduced the following persons, who delivered addresses of welcome: Representative of the Governor of New Jersey; Hon. Colin M. McLean, mayor of Paterson; Hon. James Wilson, president of the Paterson Chamber of Commerce. Mr. John S. B. Davie, president of the association, responded in behalf of the visiting delegates. Formal addresses were then delivered by John W. Ferguson, vice president of the New Jersey Manufacturers' Association, and James Wilson, seventh vice president of the American Federation of Labor.

Doctor McBride called on Ethelbert Stewart, United States Commissioner of Labor Statistics; James Ballantyne, Deputy Minister of Labor of Ontario; and Louise E. Schutz, secretary-treasurer of the association, for extemporaneous remarks.

**WEDNESDAY, JUNE 1—MORNING SESSION**

**JOHN S. B. DAVIE, PRESIDENT A. G. L. O., PRESIDING**

**BUSINESS SESSION**

After the roll call the report of the secretary-treasurer was read, as follows:

**REPORT OF SECRETARY-TREASURER, JUNE 1, 1927**

**BALANCE AND RECEIPTS**

Fund on hand June 7, 1926.....	\$686.11
Receipts from interest on savings account, Merchants National Bank..	3.05
Receipts from dues to July 1, 1926, Wyoming.....	10.00
Receipts from dues to July 1, 1927:	
Virginia.....	\$15.00
Massachusetts.....	50.00
Ontario.....	10.00
Wisconsin.....	50.00
New Hampshire.....	10.00
Dominion of Canada.....	25.00
New Jersey.....	25.00
Ohio.....	25.00
Georgia.....	10.00
Pennsylvania.....	50.00
New York.....	50.00
Illinois.....	15.00
Indiana.....	10.00
Utah.....	10.00
North Carolina.....	10.00
Delaware.....	10.00
Oklahoma.....	10.00
Washington.....	25.00
South Carolina.....	10.00
Minnesota.....	25.00
Kansas.....	15.00
	<u>460.00</u>
Total.....	<u><u>1,159.16</u></u>

**DISBURSEMENTS**

1926		
May 17. Secretary-treasurer, salary.....	\$180.00	
June 10. Herman Witter, badges.....	38.00	
June 16. Secretary-treasurer, stamps.....	5.00	
June 22. Miscellaneous, convention.....	4.50	
June 22. T. Kelly, printing letter and resolutions.....	4.50	
July 1. R. Carroll, stenographic service.....	8.00	
July 1. Chase Printing Co., 3,000 letterheads.....	20.00	
July 31. Theresa Coughlin, transcript, etc.....	200.00	
July 31. Herman Witter, picture-machine rental.....	35.00	
Nov. 19. Secretary-treasurer, stamps.....	3.00	
1927		
Jan. 31. R. Carroll, stenographic service.....	5.00	
Jan. 31. Secretary-treasurer, stamps.....	5.00	

1927	
Feb. 7. Western Union, five telegrams.....	\$4. 32
Feb. 7. T. Kelly, multigraphing.....	2. 00
Feb. 8. Enterprise Printing Co., 3 receipt books.....	10. 25
Mar. 1. R. Carroll, stenographic service.....	10. 00
Mar. 4. Secretary-treasurer, stamps.....	5. 00
Apr. 1. R. Carroll, stenographic service.....	6. 00
Apr. 6. T. Kelly, printing form letter.....	2. 00
Apr. 19. Secretary-treasurer, stamps.....	3. 00
May 1. Secretary-treasurer, stamps.....	4. 00
May 3. R. Carroll, stenographic service.....	7. 00
May 9. Secretary-treasurer, stamps.....	2. 00
May 20. Chase Printing Co.....	25. 22
May 23. Western Badge & Novelty Co.....	9. 60
Total.....	<u>598. 39</u>
First National, savings account.....	\$316. 88
American National, checking account.....	243. 89
Total on hand.....	<u>560. 77</u>

1, 159. 16

Respectfully submitted.

LOUISE E. SCHUTZ, *Secretary-Treasurer.*

The report as read was referred to the committee on officers' reports.

The CHAIRMAN. We will now take up the reports of progress from States and Provinces. The delegate from each State, as the name is called, will make his report. The idea of this report is to state briefly any labor legislation that has been enacted since the last meeting.

### NEW LABOR LEGISLATION

#### REPORT OF ARKANSAS

**Boiler inspection law:** Amended 1927 so as to give two additional inspectors. The Arkansas law now provides that all steam boilers be inspected and places insurance inspectors under the supervision of the State inspector. All insurance and State inspectors are required to stand examination before being permitted to inspect boilers. Department charges fees for inspection, but is maintained out of general fund and not dependent upon fees for existence. The standard A. S. M. E. examination is given and rules for the inspection are based on A. S. M. E. and National Board Code.

**Child-labor amendment:** At the special session of the legislature, 1924, Arkansas was the first State in the Union to adopt the child-labor amendment.

**Nine-hour law for women:** An effort was made during the 1927 legislature to include in the provisions of the nine-hour law for women (maximum hours and minimum wage law) cotton factories, but after passage of the bill in the lower house by an almost unanimous vote the bill died in committee in the senate. The Arkansas nine-hour law now exempts cotton factories. We have only three of these in the State, but an effort is being made to induce others to come to the State and this exemption is regarded as an inducement.

**Employment agencies:** The law regulating fee-charging employment offices was amended at the 1924 session of the legislature so as to impose a license fee of \$200 per year and to limit charges for securing situations to a maximum of \$2. We do not at this time have a licensed office in the State.

**Coal mines:** An act was passed by the 1927 legislature to require maps of all coal mines to be filed with the county clerk of the county in which the mine

is located, and also with the State mine inspector, these maps to show entire workings of mine and every vein or deposit. All mine maps to show location of doors, overcasts or air bridges, and the direction of air currents.

**Mothers' pension:** In addition to definite labor laws as above detailed, the 1927 legislature amended the mothers' pension law so as to apply to all counties in the State. Prior to this time this law applied only to a few counties in the State. The provisions of the law permit counties of the State to pay to widows with children under 15 years of age \$10 per month for the first child and \$5 per month for each additional child. The law also includes women whose husbands have deserted them, although no divorce has been granted.

#### REPORT OF GEORGIA

In 1925 the General Assembly of Georgia very materially amended the Georgia child-labor law. The age of 14 was fixed as the minimum age for daylight work and 16 as the minimum age for night work and for certain specified hazardous employment. The law also provides that children must be physically fit and be able to read and write simple sentences in the English language.

The general assembly will convene on June 22 for a 60-day session. An effort will be made to give the juvenile courts concurrent jurisdiction with the superior courts in handling certain questions concerning children. It is desired to revise our legal adoption law by requiring investigations of conditions surrounding the transfer of children in adoption and a six months' trial period before the adoption is closed.

**Nonsupport:** To make nonsupport and desertion a continuing offense, throwing the responsibility on the parents until the child becomes of age or self-supporting.

**Illegitimacy bill:** To require the father to contribute to the support of his child born out of wedlock until the child becomes self-supporting.

In addition to the above, an effort will be made to provide a mothers' aid fund. The purpose is to create in the various counties in the State a mothers' aid fund for home care of dependent children, thus enabling them to be kept under the care of their mothers when otherwise they would have to be transferred because of the loss of the breadwinner.

#### REPORT OF ILLINOIS

Since the last meeting of this association at Columbus no new legislation has been enacted in Illinois. Our legislature is now in session, however, and I shall outline briefly the bills affecting labor that have been introduced to date.

It is, of course, impossible to predict the passage or defeat of these bills, except that bill having to do with amendments to the workmen's compensation act, which being an agreed bill has already passed the house and is now on second reading in the senate.

**S. 97:** Amends law providing for 10-hour day for women so as to provide for an 8-hour day instead. Permits, in case of women working six days a week, employment for 10 hours per day for not more than two days a week if such overtime is deducted from employee's other working hours of that week. Makes exception in the case of graduate nurses, night telephone operators, telephone operators working in private residences or places of business, and women employed in the canning industry during the canning season. Requires employers to post copies of the act and provides for inspections by the department of labor.

**S. 151:** Prohibits employers from requiring or permitting employees to work more than six days per week in any factory, foundry, laundry, hotel, restaur-

rant, telephone or telegraph establishment, or in any office thereof, or in any mercantile or mechanical establishment, any place of amusement, any transportation business or other public utility. Does not apply in case of emergency. Department of labor to enforce.

S. 383: Provides for formation and disbursement of a pension fund for aged persons and prescribes penalties; provides for State tax therefor, appropriation of fund to department of labor for use of old-age pension commission, constitution of county judges as county pension agents, applications for pensions, listing of persons not entitled to pensions, investigations of claims for pensions, and allowing of claims; pensioners to be maintained in charitable institutions.

S. 384: Requires railroad companies to provide and maintain railroad yards with flood lighting in order to safeguard the health, safety, and comfort of the public and railroad employees.

H. 383: Requires employing steel erectors or foremen engaged in the business of erecting structural steel and iron, or in the setting of reinforcement or reinforced concrete construction, to secure a certificate authorizing them to engage in such business. Applicants to be examined as to their knowledge of proper construction methods and the means of safeguarding persons engaged in or around such work. If satisfied as to competency of the applicant, certificate authorizing the applicant to engage in such business for one year will be issued. Provides penalties.

H. 434: Amends an act concerning child labor. Minors between the age of 14 and 16 years shall be accompanied by their parents, guardians, or custodians when applying for employment, and statements shall be required showing that the services of such minors are necessary for the financial support of their families. Provision is made for vacation certificates and for permits to work outside of school hours, and for the revocation of same. Act does not require certificates for minors under the age of 16 lawfully employed on July 1, 1927, and does not prohibit minors under the age of 14 who have not completed educational requirements prescribed herein but who are lawfully employed on July 1, 1927, from continuing in employment.

H. 385: Certain amendments to the workmen's compensation act, adding certain enterprises to list declared to be extrahazardous; changing provisions regarding minors, compensation payments, and death benefits; and increasing the amounts of certain minimum payments. Provides for compensation for loss of any of the natural teeth and increases compensation in certain cases of partial disability. Regulations are given concerning the awards of the industrial commission or arbitrator and the payments thereunder, and as to examinations of disabled employees. Makes provision for taking of depositions in foreign countries and for copies of testimony in hearings before the commission. Provisions are changed regarding filing of claims in case of mental incompetency and as to reciprocal or interinsurers' exchange.

Better liaison and cooperation between the various divisions of the department of labor have resulted in a real understanding of our problems.

#### REPORT OF KANSAS

The only important bill that succeeded in passing the Kansas Legislature was the workmen's compensation act, which we consider a great improvement over the old. It becomes effective July 1, 1927.

There was a bill passed to allow the board of administration to use convict labor and also reformatory labor in public work. There was no legislation in regard to child labor.

**REPORT OF LOUISIANA**

Legislation has been passed as follows:

Creating a lien on autos and trucks for repair men and mechanics.

Creating a lien on both private and public works and construction.

Amending the workmen's compensation act by defining more clearly who are "actual dependents"; paying 200 weeks for the loss of an arm instead of 175 weeks as heretofore, and reducing the weeks for loss of leg from 200 to 175, this being simply a reversal to former allowance; embodying in the act a provision regulating hernia; fixing the attorney fee at not to exceed 20 per cent of the amount involved, with a maximum of \$1,000.

Amending and reenacting the fire-escape law so as to cover certain other buildings and placing the enforcement of the law under the State fire marshal.

An act compelling employers to pay their workmen in cash or by check or draft on banks, and abolishing the custom of issuing "punch-out" cards, order books, commissary books, metallic or other checks as substitutes for cash.

An act regulating child labor: Fixing the hours of service at 8 hours a day and 48 hours per week; requiring an order from the prospective employer that the child is to be employed by him; requiring a doctor's certificate certifying the physical fitness of the child to perform the work to which it is to be assigned; age certificates to be issued by the superintendent of public schools, except in the city of New Orleans, where this is to be done by the city factories inspector; requiring that copies of all certificates must be filed with the State commissioner of labor and industrial statistics, and that when employment relations cease the certificate must be returned to the issuing officer, thereby keeping same out of the hands of the child; the commissioner of labor to formulate the certificate and supply same to issuing officers free of charge. This law applies only to children between 14 and 16 years of age.

An act regulating public dance halls and placing their supervision under policewomen, with assistance of other authorities.

**REPORT OF MASSACHUSETTS**

Chapter 131. This was an act relative to the enforcement of the law providing vacations for municipal laborers. Section 111 of chapter 41 of the General Laws was amended as follows: "The department of labor and industries shall enforce this section, and shall have all necessary powers therefor." This act becomes operative June 19, 1927. Copy of the section as amended is here inserted:

SECTION 111. In any town which accepted chapter 217 of the Acts of 1914, all persons classified as laborers or doing the work of laborers, regularly employed by such town, shall be granted a vacation of not less than two weeks during each year of their employment, without loss of pay. In any city which accepted said chapter the city council may determine that a vacation of two weeks without loss of pay shall be granted to every person regularly employed by such city as a common laborer, skilled laborer, mechanic, or craftsman. If such vacations are authorized, they shall be granted by the heads of the executive departments of the city at such times as, in their opinion, will cause the least interference with the performance of the regular work of the city. A person shall be deemed to be regularly employed, within the meaning of this section, if he has actually worked for the city or town for 32 weeks in the aggregate during the preceding calendar year. The department of labor and industries shall enforce this section, and shall have all necessary powers therefor.

Chapter 275: This is an act relative to the number of inspectors in the department of labor and industries qualified in building construction work.

It changed the existing law so that the number of inspectors of building operations could be fixed by the commissioner, while formerly it was restricted to four. An adequate appropriation was made to cover four additional inspectors in this group, making the total of such inspectors eight. It reads as follows:

Section 4 of chapter 23 of the General Laws, as amended by section 3 of chapter 306 of the Acts of 1921, by chapter 196 of the Acts of 1922 and by section 1 of chapter 258 of the Acts of 1924, is hereby further amended by striking out, in the fifteenth line, the words "for inspectors" and inserting in place thereof the words "Such number of inspectors as the commissioner may deem necessary," so as to read as follows:

"SEC. 4. The commissioner, assistant commissioner, and associate commissioner may, with the approval of the governor and council, appoint and fix the salaries of not more than five directors, and may, with like approval, remove them. One of them, to be known as the director of standards, shall have charge of the division of standards, and each of the others shall be assigned to take charge of a division. The commissioner may employ, for periods not exceeding 90 days, such experts as may be necessary to assist the department in the performance of any duty imposed upon it by law, and such employment shall be exempt from chapter 31. Except as otherwise provided in section 11, the commissioner may employ and remove such inspectors, investigators, clerks, and other assistants as the work of the department may require, and fix their compensation. Such number of inspectors as the commissioner may deem necessary shall be men who, before their employment as such, have had at least three years' experience as building construction workmen. The commissioner may require that certain inspectors in the department, not more than seven in number, shall be persons qualified by training and experience in matters relating to health and sanitation."

Chapter 309: This is an act making certain changes in the workmen's compensation law. This legislation followed the report of a special committee appointed in 1926 to make a study of the various systems of workmen's compensation laws.

The changes made liberalizing the compensation law of Massachusetts through the passage of this act are given herewith briefly:

It is provided that the insurance company shall make available to the board all medical records and reports of hospitals, clinics, and physicians of the insurer for the use of the board. Previously such reports were available only by favor of the insurance company; now the board has an absolute right to get such records. An employee who receives injuries while working outside of the State may claim or waive his rights at common law, the same as employees within the State. Street risks are covered when the employee is actually engaged with his employer's authorization in the business affairs or undertakings of his employer, and whether within or without the Commonwealth. Employees were given the right to compel the insurance company to provide medical and hospital service not only in unusual cases but in all cases requiring surgical treatment. In addition, the insurer must now pay the expenses incidental to the furnishing of medical and hospital service.

A widow having more than three children under the age of 18 shall receive each week \$2 additional for each such child as long as such child remains under the age of 18. The maximum or total sum due remains unchanged at \$6,400. There is an increase in the maximum weekly sum due during total incapacity to \$18 and in the minimum sum due to \$9, and an increase in the maximum sum due each week during partial incapacity to \$18 and in the total amount payable to \$4,500.

An employee who is for any reason peculiarly likely to become permanently or totally incapacitated by injury may, at the discretion of the board and with its written approval, within one month of the beginning of his employment

waive his rights to compensation under sections 34, 35, and 36, or any of them. The board was given the right to approve a lump-sum settlement at any time. The insurance commissioner may approve the rates of insurance of compensation risks and also withdraw his approval. The law now providing for the payment of compensation to laborers, workmen, and mechanics who are public employees is extended so as to include foremen, subforemen, and inspectors.

#### REPORT OF MICHIGAN

At the last session of the legislature the most important labor legislation comprised changes in the workmen's compensation act. The weekly maximum was changed from \$14 to \$18 a week and the percentage raised from 60 to 66%. Some of the other changes that were made were: Two-thirds compensation for foreign dependents in the event of fatalities; the discontinuance of compensation to widows upon their remarriage. In the latter case, if there are any other dependents, such as children or near relatives, the compensation will go to them. In the event that there are no children and no near relatives and the widow remarries no compensation is paid.

Under the law in Michigan a skilled mechanic, upon being totally disabled from following his trade, received what is known as permanent total disability of 500 weeks, regardless of how much he might be able to earn in some other line of work. That has now been changed to compensation plus his ability to earn any amount in any given line of work, but not to exceed the amount that he earned at the time of the accident, based on a six-day week. In other words, if a man earning \$50 a week becomes permanently disabled and is able to secure a position as a floorwalker or as a musician or in any other line of work and get \$40 a week he would receive, instead of \$18, \$10 compensation, which would make the total the same as he earned before.

Another change that was made was that of paying double compensation to minors illegally employed. We tried to include occupational diseases in the law, but this raised so much furor that it had to be withdrawn in order to get the rest of the amendment through.

One change was made that perhaps will prove interesting to the association as an experiment. A bill passed by the legislature permits the commission now to charge a \$1 registration fee in the public employment offices. When that law goes into effect, some time in September, I think Michigan will be the only State to have such a law. The State operates about 13 of these employment offices. On the basis of last year's business—somewhere in the neighborhood of 130,000 applicants and 70,000 placed—we believe that we can get the \$1 registration fee. The bill provides that the money derived from these fees shall be at the disposal of the department for the purpose of further improving the public employment service; in other words, it is putting the money back into the business.

The objection was raised that some one might come in for a position and not have the dollar. We are going to meet that situation by giving the person a position, if we have one, and asking him to come back after he has earned his first week's salary and pay the dollar. We believe that we will not lose very much. If we do it will not make much difference. At the present time we are not getting any revenue from that particular source.

The private employment agencies in the State of Michigan have taken nearly \$1,000,000 from the workers during the past year and we have experienced a great deal of trouble. We believe that by putting the public employment service on a more businesslike basis it will result in a more efficient service,

both to the employer and the employee, and at the same time provide the necessary funds with which to carry on the business more effectively. At the present time it is in poor shape.

The legislature also passed a bill still further regulating private employment agencies. The bill gives the department absolute police power to revoke licenses and even to place proprietors of employment agencies under arrest. A good many of them, especially in Detroit, need that sort of treatment.

A bill was introduced prohibiting the employment of women at any sort of work that relates to polishing and buffing. (There was an act passed in the nineties, but there has been some question as to its application.) This bill failed to come out of committee. There was a great fight made on the bill.

An attempt was made to lower the bars so far as the employment of minors is concerned. In Michigan the law is that minors under 18 can not be employed at any sort of work except by permission of the department of labor and industry and only in such positions as will not be detrimental to their morals and health and not unduly hazardous. The custom is that where an employer desires to employ a minor he makes application to the department, stating the name and age of the person to be employed and the nature of the work. Then the department passes upon that job and grants permission for that particular minor for that particular job. An attempt was made to compel the department of labor to make a blanket regulation as to jobs or positions or work that it would consider nonhazardous, so that instead of having to make individual applications employers would simply make applications en masse. We succeeded in having that bill changed so that when it was finally passed all that was passed was the title of the bill and the rest was cut out. The law remains as it was.

We had a boiler act which failed of passage principally because one of the members of the legislature was a little hard of hearing and failed to register his vote.

Another thing that we tried to get through was an enabling act. The original law failed to give the department jurisdiction over construction and destruction of buildings. As a result, there are no measures at all governing the building industry, which is one of the most prolific producers of accidents. There are no codes whatever in Michigan. We introduced an enabling act. It was defeated largely because some of the newspapers and a few of the senators from the rural districts labeled it the "Moscow bill." We feel quite sure, however, that by the next session of the legislature we shall be able to pass it.

That, in a general way, covers the activities in labor legislation in Michigan. There has been more activity in this session than at any previous session.

#### REPORT OF MINNESOTA

The Minnesota Legislature, which adjourned about five weeks ago, gave us very few changes in the labor laws. There was an amendment to the hour law for women which specifically and definitely exempted women in the canning industry from the application of that law.

The child-labor law was amended so as to permit children under 10 years of age to appear in theaters with permission of the industrial commission.

There were a few minor amendments to the boiler inspection law. That comprises about everything that the Legislature of Minnesota accomplished.

The industrial commission and many of the women's organizations and labor organizations were interested in having our hour law for women made more

specific and definite. We were very hopeful at the commencement of the session that we would get a bill that was clear and concise. Some opposition developed, creating suspicion and distrust in certain quarters, and the bill failed of passage. At the present time the situation in Minnesota in regard to the hour law for women is in considerable confusion. We have three laws on the statute books. Some attorneys have said that no one of them is constitutional and that they are all void. Other men hold that portions of each law are enforceable. As I say, we made an attempt to clear up that situation, but, unfortunately, the legislature, in its wisdom, saw fit to defeat our efforts. An amendment was passed which takes care of the payment of compensation to State employees. Employees of the State have always been under the law, but there never has been a fund appropriated to make compensation payments to State employees except in the highway department. They will now receive their compensation payments regularly, in the same way any employer of labor or any insurance man has to pay them.

#### REPORT OF NEW HAMPSHIRE

There is very little to report as to labor legislation since the last session of the association. In fact, there were only two such bills introduced at the last session of the legislature. The first was to take down the bars on women and children in the canning industry, which is very small in New Hampshire. That bill, which was reported to the legislature by the committee on labor in the senate, was defeated.

The most interesting piece of labor legislation brought before the State legislature related to workmen's compensation. After several days of conference between employers and organized labor, a bill was introduced which was a great improvement over our present act. Although it was reported on favorably by the judiciary committee, it was defeated in the house of representatives by a very large vote. So there has been practically no labor legislation enacted in New Hampshire since our convention of last year.

#### REPORT OF NEW JERSEY

We had an amendment to the building act, at least in so far as it relates to our department, in that it gave the department of labor control, in communities that have no building regulations, of buildings for amusement purposes—buildings in amusement parks and other buildings in which people congregate for the purpose of amusement. The act is now in force, and I believe much good will result from that legislation. Heretofore there has been no control at all. That was the main piece of legislation affecting the department of labor.

There were some minor changes in our compensation laws, strengthening them and making clearer their provisions. The main changes set forth more clearly the provisions of the act. There was some doubt in the interpretation of the act, particularly with reference to counsel fees, which was cleared up by amendments. There seemed to be some misunderstanding as to the power of the board to grant counsel fees, particularly in cases that were contested. It had been the custom for the board to fix the counsel fee at any reasonable figure it might deem expedient. The amendment provided that a counsel fee of 20 per cent might be allowed, but if compensation in a specified amount had been agreed upon or set forth prior to the hearing, the fee should be based only on the additional compensation that might be granted over the original amount. That was the main feature of the amendment.

**REPORT OF NEW YORK**

The most important labor legislation during the year were the measures designed to clarify the 8-hour and prevailing rate of wages law, the compromise 48-hour week for women in factories and mercantile establishments, and the amendment to the workmen's compensation law increasing the maximum of weekly compensation from \$20 to \$25 per week.

*Workmen's compensation*

Chapter 493 removes the defect in the law by requiring an uninsured employer to pay, as does the insured employer, into the fund for special additional compensation in cases of permanent total disability caused by two separate and distinct accidents.

Chapter 496 prohibits medical examiners employed in the department of labor from accepting any fees from an insurance carrier. Five new medical examiners were provided by chapter 55, making a total of 24 such examiners in the department.

Chapter 497 renders discretionary instead of mandatory the imposition of a fine upon an employer failing to give notice that compensation payments have ceased because full payment has been made. The amount of such fine, when imposed, has been reduced from \$100 to \$25.

Chapter 553 authorizes the department to excuse failure of a physician to report injury and treatment within 20 days. Formerly no bill for services rendered by a physician to an injured worker could be honored unless the report as to treatment had been rendered within 20 days.

Chapter 554 allows the department to make an award of 60 weeks' compensation for complete loss of hearing in one ear. Formerly compensation could be granted only when there was loss of hearing of both ears, in which case the award was for 150 weeks.

Chapter 555 raises the limit of compensation for temporary total disability to \$5,000 and for temporary partial disability to \$4,000. Both these limits were formerly fixed at \$3,500.

Chapter 556 extends the circle of relatives to whom unpaid installments of compensation in case of permanent partial disability may be paid.

Chapter 557 provides that the department may reclassify disability upon proof that there has been a change in condition or that the earlier classification was erroneous.

Chapter 558 makes the most significant change in the workmen's compensation law. This increases the maximum weekly compensation to \$25 in cases of total disability, whether permanent or temporary. Formerly this limit was \$20 per week for all cases, and this remains the limit for cases of partial disability. Both because of the increased cost of living and the higher rates of wages which have become effective since the adoption of the workmen's compensation law this increase in maximum allowance has been long overdue. For the same reasons a similar increase should have been granted for cases of partial disability. Such increase was asked for in the bill presented to the legislature but was denied in cases involving partial disability.

*Labor law*

The most important amendment to the labor law was effected by chapter 453, which more nearly provides an 8-hour day for women in factories and mercantile establishments than any measure previously adopted in this State. For many years various attempts have been made toward this end. The 9-hour day

had been in effect for factories since 1912. The present amendment provides an 8-hour day where the establishment is operated on the basis of six full days each week. Permission, however, is granted for 78 hours' overtime during the course of a calendar year, to provide for seasonal and other emergencies. If a half holiday during each week is given throughout the year the employees may be required to work 9 hours per day for five days in the week and 4½ hours on the sixth day, this making a total of 49½ hours for the week.

Chapter 563 strengthens the existing law requiring that the prevailing rate of wages shall be paid and the hours of work limited to eight per day on public work. Since the decision of the United States Supreme Court in 1926 by which a somewhat similar Oklahoma statute was held invalid on the ground that the terms "current rate" and "locality" were indefinite, there has been a feeling that the New York statute should be redrawn in order to meet the decision in the Oklahoma case. This has been done and, although no additional protection has been incorporated, the statute has clarified definitions and it is believed brought the law into line with the terms of the Federal decision.

Chapter 495 specifically requires cleanliness of the walls and ceilings of the rooms and hallways in factories. This statute was drawn in order to strengthen the former provision as to factory buildings and premises.

#### *Industrial board*

By chapter 166 the requirement laid down in 1926 that two members of the board represent employers and two represent employees has been eliminated. Except for the provision that one member shall be an attorney admitted to practice in New York State, the governor is given a free hand in the selection of the industrial board members.

#### *Longshoremen*

The enacting in 1927 of the first Federal compensation statute for private employees will favorably affect a large number of workers employed upon navigable waters in New York State. This legislation is a boon to such workers and has been long needed.

### **REPORT OF PENNSYLVANIA**

The Pennsylvania Legislature changed the compensation law in the last session, making the maximum payment \$15 instead of \$12 and reducing the waiting period.

A bill stating that no migratory child might be employed in the State at the time it was required to be in school was passed by the legislature but vetoed by the governor.

There is a new secretary of labor and industry in Pennsylvania, Mr. Charles A. Waters, whose desire and intention it was to be at this conference. We hope he will be able to come, and that you may meet him and that he may have an opportunity to state something of his plans and policies for the department of labor and industry.

### **REPORT OF VIRGINIA**

A special session of the General Assembly of Virginia was called in March, 1927, to consider the report of the citizens' committee on consolidation and simplification of State and local government, submitted to the Governor of Virginia in accordance with the Acts of 1926. This committee of 38 leading citizens considered the report of the New York Bureau of Municipal Research,

which submitted to the governor a report on organization and management of the State government of Virginia. This report was modified by the citizens' committee, which proposed setting up 11 departments of State government, among which was the department of industrial relations, as recommended by the New York bureau. The functions of the bureau of labor and industry, the industrial commission, and the board for industrial rehabilitation would be consolidated under the proposed department of industrial relations, with a commissioner appointed by the governor, who, in turn, would recommend a director of labor, a director of compensation insurance, and a director of industrial rehabilitation, setting up a budget showing an approximate saving of \$29,000 and reduction in employees of 13. This apparent saving was effected (after raising the salary of the commissioner) by reducing the number of inspectors, or field force, and the stenographers and clerks, as well as failing to make suitable provision for the employment service; in other words, increasing the overhead at the expense of reducing the productive end of the operation.

Another defect in this report was the fact that the commissioner would name the director of labor and director of compensation insurance, who jointly would serve as the compensation commission. This was contrary to the law establishing the industrial commission, under which they were supposed to represent employer, employee, and the public, whereas under this system they would represent only the individual views of the commissioner.

Another point to be noted is that these recommendations were entirely at variance with those made in other States, where the tendency in consolidation has been to have a department of labor and industry, headed by a commissioner, rather than having a commission with divided responsibility administering the various labor laws.

The Virginia Federation of Labor went on record as being opposed to the proposed consolidation in the form set up, the manufacturers' association also opposed it, and the bureau of labor and industry likewise opposed the proposition, with the result that, although a bill was presented in accordance with the report of the citizens' committee providing for 11 administrative departments, with a department of industrial relations, the outcome was to establish 12 administrative departments, among which was the department of labor and industry and the department of workmen's compensation. The department of labor and industry retains its functions of factory inspection, safety, sanitation, women and children, employment, and the division of mines, while the department of workmen's compensation administers the compensation act.

An attempt was also made to put rehabilitation under the department of workmen's compensation, but this question is still a mooted one.

### REPORT OF WISCONSIN

#### I. Bills which have become laws:

S. 66: A bill to amend the introductory paragraph of subsection (1) of section 102.11 of the Statutes, relating to the maximum wage under the workmen's compensation act. (Raising maximum annual wage under compensation act to \$1,500.) Made chapter 42, Session Laws of 1927.

S. 198: A bill to amend section 205.15, relating to representation in the compensation and inspection bureau. Made chapter 45, Session Laws of 1927.

S. 214: A bill to create subsection (5) of section 102.31 of the Statutes, relating to the regulation of workmen's compensation insurance. (Providing for insurance of special risks.) Made chapter 125, Session Laws of 1927.

S. 310: A bill to amend paragraph (b) of subsection (4) of section 103.05 of the Statutes, relating to the employment of boys in caddying at golf. (Authorizing issuance of permits to children 12 to 14 years to caddy.) Bill concurred in; with enrolling clerk.

S. 190: A bill to create section 56.21 and to amend subsection (8) of section 20.57 of the Statutes, relating to compensation to inmates of State institutions injured in the performance of work in such institutions, and making an appropriation. Bill has been concurred in, but was recalled from the governor for an amendment, and is now in the assembly.

II. Bills which have been withdrawn, indefinitely postponed, or killed:

S. 53: A bill to repeal section 56.06 of the Statutes and to create a new section of the same number relating to prison labor. (Abolishing prison contract labor.) Withdrawn.

S. 121: A bill to repeal sections 205.01 to 205.29 of the Statutes and to create 27 new sections of the Statutes, to be numbered sections 205.01 to 205.27, relating to a State workmen's compensation fund. (Creating a State workmen's compensation fund.) Indefinitely postponed.

S. 166: A bill to repeal subsection (1a) of section 103.43 of the Statutes, relating to strikes and lockouts. (Repealing subsection (1a), section 103.43, relating to fraudulent advertising for labor when a strike or lockout exists.) Killed.

S. 175: A bill to amend subsections (1) and (2) of section 103.03 of the Statutes, relating to the hours of labor for women. Killed.

A. 123: A bill prohibiting employment of persons in sand-blasting operations beyond 10 months in every five-year period. Killed.

A. 189: A bill requiring use of self-illuminated rear license plates to be approved by industrial commission. Killed.

A. 199: A bill to repeal subsection (8) of section 20.57 and to create sections 210.05 and 20.556 of the Statutes, relating to a State compensation fund to pay liability of the State, counties, cities, villages, towns, and school districts under the workmen's compensation act, and making an appropriation. (State workmen's compensation insurance fund.) Killed.

S. 263: A bill to amend subsection (1) of section 104.125 of the Statutes, relating to wages of women. (Oppressive wage bill.) Indefinitely postponed.

S. 264: A bill to amend paragraph (b) of subsection (4) and subsection (5) of section 103.05 of the Statutes, relating to the employment of children under the age of 14 years, and the form of child labor permits. (Employment of children 12 to 14 years.) Killed.

A. 1: A bill to repeal sections 20.555, 205.02, and 205.03; to amend sections 205.04, 205.05, 205.06, 205.07, 205.08, 205.09, 205.10, and 205.11, subsection (2) of section 205.12, sections 205.13 to 205.15, 205.17 to 205.19, and 205.21 to 205.28; and to create subsection (10) of section 20.57 of the Statutes, relating to workmen's compensation insurance and making an appropriation. (Consolidation of compensation insurance board with the industrial commission.) Killed.

A. 212: A bill to create section 103.46 of the Statutes, relating to night work in bakeries and providing a penalty. (Prohibiting night work in bakeries.) Killed.

A. 296: A bill to create sections 112.01 to 112.20 of the Statutes, and to amend subsection (5) of section 201.04, section 205.01, and subsection (9a) of section 101.10 of the Statutes, relating to the prevention of unemployment by compensating workmen while temporarily employed, providing penalties, and making an appropriation of fees. (Unemployment insurance bill.) Killed.

A. 421: A bill to amend section 103.39 of the Statutes, relating to the time of the payment of wages. Killed.

S. 340: A bill to repeal paragraph (b) of subsection (4), item 27 of paragraph (e) of subsection (5), and paragraphs (b) and (c) of subsection (6) of section 102.09; and to amend paragraph (f) of subsection (4m), paragraph (a) of subsection (5), the opening paragraph and paragraphs (a), (d), (e), and (f) of subsection (6) of section 102.09; and to create paragraph (b) of subsection (4) of section 102.09 of the Statutes, relating to benefit provisions of the workmen's compensation act. (Workmen's compensation benefit bill.) Indefinitely postponed.

S. 345: A bill to amend subsection (3) of section 102.05, section 102.06, subsection (4) of section 102.07, paragraphs (a), (b), and (e) of subsection (1), item fifth of paragraph (d) of subsection (2), and paragraphs (cm) and (1) of subsection (5) of section 102.09, section 102.12, subsection (1) of section 102.16, subsection (1) of section 102.17, section 102.18, and subsection (4) of section 102.29; and to create subsection (2m) of section 102.09 of the Statutes, relating to administrative provisions of the workmen's compensation act. (Workmen's compensation administrative bill.) Indefinitely postponed.

S. 352: A bill to amend subsection (1) of section 102.23 of the Statutes, relating to judicial review of findings and orders of the industrial commission. (Providing that decisions of the industrial commission shall not be conclusive as to facts.) Indefinitely postponed.

S. 262: A bill to revise the street trades law. Indefinitely postponed.

S. 185: A bill to create section 85.35 of the Statutes, providing for indemnity to persons injured in motor-vehicle accidents and the establishment of a State automobile fund. (Motor-vehicle compensation law to be administered by industrial commission.) Indefinitely postponed.

S. 321: A bill to amend paragraph (1) of subsection (5) of section 102.09 of the Statutes, providing for payment in gross of compensation under the workmen's compensation act. (Requiring commission to direct payment in lump sum when amount is less than \$1 per week.) Withdrawn.

S. 315: A bill to repeal sections 347.70 and 340.78 and to create a new section to be numbered section 340.70 of the Statutes, relative to fireworks, and providing a penalty. (Fireworks bill.) Indefinitely postponed.

A. 492: A bill to repeal subsections (1), (2), and (3) of section 40.73; to renumber subsections (4), (5), (6), and (7) of said section 40.73 to be respectively subsections (1), (2), (3), and (4) of section 40.80 and section 40.75 to be 40.84; and to create sections 40.73, 40.75 to 40.79, and 20.572 of the Statutes, relating to compulsory school attendance, providing a penalty, and making an appropriation. (Compulsory school attendance law.) Killed.

A. 515: A bill to create section 167.185 of the Statutes relating to open paint spraying. (Prohibiting open paint spraying without a permit from industrial commission.) Killed.

S. 408: A bill to amend subsection (5) of section 307.02 and to create subsection (14) of section 101.10 of the Statutes relating to wage claims. (Giving industrial commission power to enforce wage payment law.) Killed.

### III. Bills pending:

S. 71: A bill abolishing State board of conciliation. Pending in senate.

S. 139: A bill transferring to a department of motor vehicles, inter alia, the duty to fix reasonable headlight standards. Pending in senate.

A. 109: A bill permitting municipality to purchase a site and construct necessary buildings for employment offices. Passed assembly; pending in senate,

S. 298: A bill to create section 85.135 of the Statutes authorizing counties, cities, and villages to establish and maintain testing stations for motor-vehicle lights and providing a penalty. (Headlight testing bill.) Passed senate; pending in assembly.

S. 314: A bill to repeal sections 102.36 to 102.41 and to create sections 102.36 to 102.41 of the Statutes relating to reports by employers and insurance companies to the industrial commission and providing a penalty. (Accident reporting bill.) Passed in senate; pending in assembly.

A. 436: A bill to amend subsections (3) and (13) of section 101.01 of the Statutes relating to definition of employer and owner in the industrial commission act. (Definition of "owner" of public buildings.) Passed assembly; pending in senate.

S. 217: A bill to create section 103.47 of the Statutes relating to hours of labor for guards in penal institutions. Pending in senate.

S. 4: A bill transferring appointment of board of architects from industrial commission to board of public affairs. (Creating board of public affairs, which, inter alia, shall appoint members of board of architects.) Pending in senate.

A. 512: A bill to amend subsections (2) and (8) of section 106.01 of the Statutes relating to apprenticeship and providing a penalty. (Placing penalty on employer for failing to indenture an apprentice.) Pending in assembly.

A. 563: A bill to create subsection (3m) of section 351.50 and to amend subsection (4) of section 351.50 of the Statutes relating to one day rest in seven and providing a penalty. (One-day-rest-in-seven law.) Passed in assembly; pending in senate.

A. 587: A bill to create sections 101.40 to 101.49 of the Statutes relating to persons working on compressed air, to the industrial commission, and providing penalties. (Compressed air bill.) Pending in assembly.

A. 352: A bill to amend subsection (2) of section 102.03 of the Statutes, relating to compensation for injured firemen. (Intended to broaden provisions of workmen's compensation act as relates to firemen, but covers injuries to any employee going to and from work.) Pending in assembly.

A. 597: A bill to repeal subsection (4) of section 20.73; to create new subsections (4), (5), and (6) of section 20.73 and section 85.32; and to amend paragraph (g) of subsection (4) of section 85.04 of the Statutes, relating to State-owned automobiles and to personal automobiles used in the business of the State. (Use of autos for State business.) Pending in assembly.

A. 630: A bill to create section 167.095 of the Statutes, relating to the use of nonmetallic sheath cable. (Prohibiting use of nonmetallic sheath cable.) Pending in assembly.

A. 664: A bill to repeal paragraph (b) of subsection (4), item 27 of paragraph (3) of subsection (5), and paragraphs (b) and (c) of subsection (6) of section 102.09, and to amend paragraph (f) of subsection (4m) paragraph (a) of subsection (5), the introductory paragraph and paragraphs (a), (d), (e), and (f) of subsection (6) of section 102.09, subsection (1) of section 102.16 and section 102.18; and to create paragraph (b) of subsection (4) and paragraph (d) of subsection (7) of section 102.09 of the Statutes, relating to the workmen's compensation act. (Compensation bill.) Pending in assembly.

S. 251: A bill to amend the introductory paragraph of subsection (3) and to create subsection (3a) of section 103.05 of the Statutes, relating to employments prohibited to minors. (Goodland child-labor bill.) Pending in senate.

S. 597: A bill to repeal subsections (1) and (3) of section 16.02; to amend subsections (a), (4), and (5) of section 16.02 and section 20.71, and to create a new subsection (3) of section 16.02 of the Statutes, abolishing the civil service commission as now constituted and creating a new civil service commission. (Creating a new civil service commission, of which an industrial commissioner shall be a member.) Pending in senate.

A. 437: A bill to repeal sections 176.01 to 176.22 of the Statutes, relating to tenement houses. Pending in assembly.

S. 591: A bill regarding industrial commission appropriation bill. Pending in senate.

S. 281: A bill regarding testimony of physicians. Pending in senate.

#### REPORT OF CANADA

It was erroneously stated last year that the Parliament of Canada had passed an old-age pension law. It is true the House of Commons on May 28, 1926, adopted the bill, but the bill was rejected by the Senate on June 8. The bill was reintroduced in the House of Commons early in 1927 and adopted on March 4, the Senate approved it on March 24, and royal assent was given on March 31. As the main provisions of the old-age pension act have been published in the Labor Gazette, official monthly journal of the Department of Labor of Canada, and in the Monthly Labor Review of the United States Department of Labor, it is not necessary here to deal with them.

In 1925 the judicial committee of the Privy Council of Great Britain declared as ultra vires of the Dominion Government the industrial disputes investigation act on the ground that the act encroached on provincial jurisdiction. In 1925 the act was amended to define the application of the act in respect to matters on which the Dominion has unquestioned jurisdiction. During 1926 four of the Canadian Provinces, namely, Nova Scotia, New Brunswick, Manitoba, and Saskatchewan, enacted legislation to make available the provisions of the industrial disputes investigation act in the settlement of disputes which are, according to the judgment referred to, exclusively within the jurisdiction of the Provinces. In 1927 British Columbia adopted similar legislation.

The Province of Alberta has passed a law based on the industrial disputes investigation act, under the title "The labor disputes act," the provincial measure omitting the sections of the Federal statute which prohibit a strike or lockout prior to a reference to a board of conciliation, but providing for a Provincial board of conciliation.

In 1926 the Province of Alberta adopted a new factories act, in which the minimum wage for women in establishments covered by the act is also the minimum wage for men. This law fixes the hours of labor at 9 per day and a 54-hour week. The act further makes provision for a committee of three members to investigate the question of the 48-hour week.

The Quebec Legislature has enacted a new workmen's compensation law for that Province. The statute, which will not come into effect before April 1, 1928, provides for increased benefits over the old statute.

The Prince Edward Island Legislature also adopted a new compensation act, but it applies to railway employees only.

#### REPORT OF ONTARIO

1. An act respecting the department of labor: Combines and consolidates the trades and labor branch act of 1916 and the department of labor acts of 1919 and 1921.

2. An act respecting employment agencies: Consolidates the employment agencies act of 1917 and an act to amend the employment agencies act of 1919.

3. The minors' protection act: Combines the minors' protection act, R. S. O. of 1914, and the minors' tobacco sales act, R. S. O. of 1914.

4. An act respecting hours of labor and two-platoon system for firemen: Combines the act respecting the two-platoon system for the employees of permanent fire departments of 1921 and the act respecting the hours of labor of employees of permanent fire departments of 1920.

5. An act respecting stationary and hoisting engineers: Consolidates the act to consolidate and amend the acts respecting stationary and hoisting engineers of 1919, an act to amend the stationary and hoisting engineers act of 1920, and an act to amend the stationary and hoisting engineers act of 1921, making slight textual changes.

6. An act to amend the wages act: The section dealing with the extent of exemption from seizure or attachment and the reduction of the exemption is amended by adding—

and provide further that this section shall not apply where the amount of such exemption exceeds \$15 and a portion of such debtor's wages not exceeding \$15 shall in all cases be exempt from seizure or attachment.

aa. Nothing in this section shall apply to any case where the debt to the creditor has been contracted for board or lodging, or where the debtor is an unmarried person and the judge, upon inquiry, finds that he has no one dependent upon him for support.

7. An act to amend the workmen's compensation act: Consolidates section 6 of the act of 1915 as amended by the workmen's compensation acts of 1917 and 1925. This section deals with the case of accidents happening while workmen are employed temporarily outside the Province.

A clause is added making clear the right to compensation of a workman whose residence is outside the Province but whose usual and principal place of employment is within the Province and the chief place of business of the employer is within the Province, and if the accident happens while the workman is out of the Province merely for some temporary purpose connected with his employment.

Slight additions in section 9, subsection 3, provide that an action may be maintained "in the name of the board" and in connection with the collection of unpaid assessments; section 94, that the certificates may be filed with "the clerk of any county or district court or, where the amount remaining unpaid does not exceed \$200, with the clerk of any division court."

## DISCUSSION

The CHAIRMAN. Would that prove to be true if he was working in the United States?

Mr. BALLANTYNE. It would be true if he was working in the United States. His employer resides in Ontario and his employer is assessed by the board for wages paid.

Mr. STEWART. I would like to ask Mr. Ballantyne a question. Of course, Canada has no supreme court to declare laws unconstitutional. We have struggled with that extraterritoriality question, and with exceptions the statutes passed by States making their laws effective outside of the territory of the State have been declared unconstitutional. Just how do you get away from that? Suppose you have a man working in Quebec for a contractor who lives in

Ontario. Suppose Quebec assumes jurisdiction, and Quebec insists that, the accident happening within her jurisdiction, the man may be compensated only under the Quebec law, how do you get out of that sort of a tangle? We can not.

MR. BALLANTYNE. Under the compensation act of Ontario there is no appeal on the part of the employer or the employee. The board that is set up to administer the act is the supreme court. It is not only the supreme court, but it is the first and last court. The common-law rights are taken away from the employee under the Ontario act and civil rights are taken away from the employer, all rights being invested in the board.

Regarding the instance mentioned, it so happens that the Quebec Legislature saw fit to postpone the operation of the Quebec compensation act for a year, so that the hypothetical case of a workman being injured in Quebec would not pertain just at the moment.

THE CHAIRMAN. We have some other folks here that we would like to hear from at this time. I will call now on Miss Anderson of the Women's Bureau at Washington.

MISS ANDERSON. I have no report on legislation, but I have a report on an investigation made by the Women's Bureau that is closely allied to legislation in the States, and that is the question as to whether or not women are handicapped because of the special labor laws that affect women only.

Hour laws do not handicap women in industry but instead shorten their hours, shorten men's hours, and standardize hours throughout entire communities, according to an investigation by the Women's Bureau of the United States Department of Labor. This investigation disclosed the fact that the regulation of women's hours of work opens up more jobs for women rather than limiting the number. It was found that in only two out of nearly 1,500 industrial establishments were men substituted for women because of a legal limitation of women's hours.

The investigation covered industries and women's occupations in Massachusetts, Rhode Island, New Hampshire, New York, Ohio, Wisconsin, Illinois, Indiana, and California. More than a thousand working women were interviewed to get a record of their experience of the effect of labor legislation.

Another finding was that laws prohibiting or limiting women's employment at night resulted in a certain amount of substitution of men for women during the night hours in establishments which ran night shifts and employed women during the daytime. The fact that the law prevented their working at night did not, however, close day jobs to women to any appreciable extent. In connection with night work, a far more potent factor in limiting employment for women was the general attitude of employers. A very large group of employers would not use women at night under any circumstances. The reaction against women's employment at night was much stronger than against men's employment, and it was found in States where there was no night-work law as well as in States where the law prohibited night work for women.

The laws prohibiting women's employment in certain occupations such as gas and electric meter reading, electric and acetylene welding, taxi driving, etc., were found in some instances to have a defi-

nately discriminatory effect on women. There is a long list of occupations which are prohibited for women in one or two States. The Women's Bureau found during its investigation that many women were successfully employed in some of these occupations in States where there was no prohibition.

For instance, women may not be employed as taxi drivers in the State of Ohio, but it was stated that women are employed in considerable numbers as taxi drivers in Philadelphia, and the firm which hires them and the women themselves report complete satisfaction with their work. Women are prohibited in Ohio and New York from certain forms of grinding. In other States the Women's Bureau has found women employed in these occupations under excellent conditions, earning good wages, and thoroughly satisfied with the work.

Certain occupations which come outside of the field of industry also were examined during the course of the investigation. These occupations involved highly skilled work, and could be classed as semiprofessional in type. The employment of women pharmacists came within this group, and it was found that for them the application of labor legislation had served as a handicap to a limited extent. Some woman pharmacists had complained of the restrictions of night-work legislation which had applied to them and limited their employment opportunities. It was found also, however, that far greater handicaps to women's employment as pharmacists were the prejudices against them among the employers and among the patrons of the pharmacies. In some States, because of the semiprofessional status of the woman pharmacists, they have been exempted from the labor law. This is true in California and in Wisconsin.

Perhaps the most important thing which has been brought out by this investigation is the need for the differentiation of legislation for different types of employment, and the exemption of those groups of highly skilled professional or semiprofessional women who are able to dictate their own terms of employment.

The conclusions drawn from the investigation were that the claims of discrimination which have been made by those who felt that there should be no legislation applying especially to women were not justified by the facts. The testimony of more than a thousand women who were interviewed by the Women's Bureau showed that legislation had not handicapped them.

**THE CHAIRMAN.** We have here a representative of the Children's Bureau.

**MISS MATTHEWS.** I have no report from the bureau. I believe some of its activities are incorporated in a committee report that will be submitted later.

**THE CHAIRMAN.** Before concluding this particular part of this meeting, I will ask our friend John B. Andrews, secretary of the American Association for Labor Legislation, to say a few words to us.

**MR. ANDREWS.** There have been two or three things of special interest this year. The first is the final enactment by Congress of the longshoremen's compensation act. That may have been touched upon in some of the reports here this morning. The law goes into

effect on July 1, and is to be administered by the United States Employees' Compensation Commission. That commission is given very broad power in reference to the making of rules and orders for the prevention of accidents in the maritime employment covered by this act and the commission, under the immediate direction of Charles H. Verrill, is devoting its time now to the organization of a proper administration.

The law provides in one section that cooperation may be worked out between this Federal commission and the State officials. In some States it appeared necessary to have some supplementary legislation in order to make it perfectly clear that the appropriate State officials could assume responsibilities of administration under this Federal act.

At the session recently adjourned in Sacramento, the California Legislature passed an amendment to its workmen's compensation law authorizing the State accident board to cooperate with the Federal Government in administering the Federal longshoremen's compensation act; also specifically authorizing the State compensation fund to insure this particular risk of the employers in that industry. Unfortunately, the Federal bill passed during the closing hour of a filibuster and there was no opportunity to get an appropriation passed at the time. But President Coolidge and Mr. Lord of the Budget Committee have agreed to let the United States Employees' Compensation Commission use during the first half of the fiscal year the money appropriated to that commission for administrative purposes. It will be using during the first half of the fiscal year the whole year's appropriation originally intended for the administration of the United States employees' compensation act. It is expected that Congress will, by January or February at the latest, make the necessary full appropriation for the whole purpose.

It is going to be interesting to watch this new thing in the compensation field, cooperation between State officials and this Federal commission. I want to emphasize the fact that this commission has very broad powers with reference to administering the compensation benefits through its deputies (and it will set up five big districts with five deputies to assist, and then after about six months when the appropriation is available probably 15 or 20 deputies). Then the State commissions or officials will have an opportunity to cooperate with this Federal machinery, not only in compensation but also in the encouragement of greater prevention of accidents and occupational diseases.

There is one other item that I imagine has not been so much discussed by you, and that is the rapidly increasing interest in the antiyellow-dog contract legislation. Two years ago, a bill was introduced by John Frye in Ohio, with public hearings. This year, a similar bill was introduced in some four States, California, Illinois, Ohio, and Massachusetts. In Ohio, the bill was passed by one house, favorably reported on by the other, and then the rules committee succeeded in preventing it from coming up for favorable action. There was a majority in the house, but the bill was killed because two-thirds was necessary under the special rule.

In California a favorable report was had, but the bill was lost. In Illinois the matter is still pending. That is going to be interest-

ing, because it is an apparent effort to declare those yellow-dog contracts contrary to public policy in the United States.

The third and last thing I would mention is the increasing interest in a closely allied industrial field; that is, accidents, especially in coal mines. I have just returned from Cincinnati where we had some very interesting discussions by mining engineers on Friday of the possibilities of preventing accidents in the soft-coal mines of this country. The engineers, the practical technical men, were unanimous in the statement that tremendous advance steps can be made by preventing accidents in mines, and they were specific as to certain remedies, for example, unanimously favoring rock dusting for the prevention of explosions, considerable progress having been made in protective measures this year.

But on the day following—this is the significant thing, I think—we had a special national conference with representatives from some 60 organizations, a conference sponsored by the American Mining Congress. We spent the time discussing, not legislation, but the advisability of those concerned drawing up from the best accepted safety practices in the mining industry a sort of a safety code for mines. The mine operators present were unanimously opposed to even that step. The coal-mine operators went solidly on record not as against legislation—they were, of course, opposed to it—but as against any effort to draw up the common experience, the accepted safety practices of the mines of the country, into a safety code to encourage more general application of those safety provisions. That to me is the significant thing.

I believe that the State government officials charged with the administering of the general State factory laws have a great advantage over those in the State bureau of mines who are charged with the responsibility of bringing about safe working conditions in the mines. Part of that, I think, is due to the fact that the factories have been more immediately under the eye of the general public, whereas many of the mines have seemed to be very remote; physically they are remote and mentally we have too long regarded them as remote. But I see an increasing public interest in the problem of mine safety. I believe within the next 10 years we will have in discussions of mine safety the same kind of intelligent application of the successful safety practices that you have when you come together to discuss safety in the factory.

I think that I can observe, after nearly 20 years of pretty intensive application to protective legislation work, a decidedly greater public understanding of some of the problems of administration. I believe though, that in the near future in the United States there will be opportunities for cooperation of State labor officials in a study to bring together information after the passage of say 15 years since the revolutionary change came about through the introduction of the industrial commission plan. I believe that we are now approaching a time when State officials will have an opportunity to pool the best of their experiences, and I am sure they will succeed much better in this than the coal operators did so recently when they frowned upon every effort to bring together the best experience as a guide in the future in the creation of safer and more healthful working conditions.

Mr. STEWART. On this coal question, may I suggest that there is under way, perhaps unconsciously, a new remedy. In the State of

Oklahoma there is but one coal company insured, and that is insured for only one year. The State commissioner there has power to close any establishment that is not insured under the workmen's compensation law. Virginia is having great trouble in getting her coal mines insured. The situation is acute in Oklahoma and Virginia, the tendency of the insurance companies being to get out from under insuring the coal companies. Only the big companies can become self-insured, because others can not put up the surety, they can not put up the bond.

It seems to me that there is another force coming in that will compel coal companies to do something or get out of business; that is to say, the workmen's compensation laws, which did so much for accident prevention in other fields, are indirectly going to have their influence on the coal field. I am not so discouraged as Mr. Andrews; I think it is coming in a different way.

Miss JOHNSON. There is one thing with regard to Massachusetts legislation that might be of interest to note. For several years the principal organization of textile manufacturers in the State—the Arkwright Club—has directly made attacks upon the 48-hour law. It has presented bills asking for the repeal of the law, for the suspension of the law, and for the weakening of the measure. Usually accompanying that proposed legislation were bills asking for the repeal of the night-work law as it applies to the textile industry.

This year that organization centered its attention on one measure, the 48-hour law, and submitted a much milder proposal, applying only to adult women. The measure was confined in its application to the cotton textile industry and provided that seasonal exception for that industry should be written in the statutes giving that industry the authority to require women to work 54 hours a week providing the average during the year did not exceed 48. The woman member of the committee on labor and industry, who had charge of the adverse report on that measure in presenting the report on the floor of the house, urged that the defeat should be so overwhelming that there would never be another attempt to break down the 48-hour law. The defeat was overwhelming; there were only five votes for the proposal in the house and not a single vote in the senate. That overwhelming defeat this year, coupled with the enactment of the 48-hour law in New York, will give encouragement to those who are interested in the retention and extension of legislation of this nature.

The CHAIRMAN. The next matter on the program is reports of standing and special committees, except those to be given on Friday. The first is that of the committee on legal aid, by Ethelbert Stewart, United States Commissioner of Labor Statistics, and the second that of the committee on statistics. Mr. Stewart we will call on you for both of them at this time.

#### REPORT ON LEGAL AID

In attempting to make a report on the subject of legal aid I am somewhat embarrassed by the fact that I do not know how the committee is constituted nor who is supposed to be its chairman. The program assigns the duty of reporting to me and I will comply by stating the situation.

At the Salt Lake City convention a representative of the National Association of Legal Aid Organizations presented the case for that organization, and your association voted a sum of money to aid in the perfection of the plan he submitted. As I was not able to attend the Columbus convention I do not know what was done there, and the printed report does not throw much light on the matter.

As I understand it, the objective which both the Association of Governmental Labor Officials of the United States and Canada and the National Association of Legal Aid Organizations has in view is to form direct contacts in each State through which complete coordination of effort shall be secured in the collection of valid wage claims submitted on the part of the workers. It is believed that the National Association of Legal Aid Organizations is sincere and unselfish in its desire to be helpful to the bureaus of labor statistics in this matter; and while the offer of assistance is not confined to the collection of wages but has assumed a much broader scope, nevertheless the present report will for obvious reasons be restricted to the settlement of wage claims.

Just a word on the magnitude which this feature of the work of the bureau in some States has reached. The United States Bureau of Labor Statistics made an inquiry of the State bureaus in 1920 along this line. The results were published in the Monthly Labor Review of March, 1921. Again in 1926, the Bureau of Labor Statistics repeated its inquiry, the result of which is attached to and made a portion of this report. Sixteen States reported some activities along these lines. Over 23,400 claims were successfully handled, resulting in an aggregate collection of \$1,216,000 of unpaid wage claims. The number of claims so handled increased enormously between the years 1920 and 1926. In New Jersey, for instance, the increase was sixtyfold. California in 1920 had 7,603 claims filed and settled 5,362, while in 1926 there were 27,813 claims filed and 16,121 claims settled. The collection in California in 1920 was \$206,389 as against \$976,368 in 1926. Some labor offices, notably California, Massachusetts, Nevada, and Utah, are backed by effective legislation in their wage collection work, but in most of the States there is either no law or very defective legislation. It is understood that the cooperation of the National Association of Legal Aid Organizations, while of very great service even in the States backed by adequate laws, is particularly advantageous in the States which are attempting to do this work under defective laws and in some instances where there is absolutely no law which specifically confers such power upon them. The report of the Bureau of Labor Statistics submitted herewith goes into details as to the legal situation in each State and is practically up to date.

I am in receipt of a report from Mr. Reginald Heber Smith, chairman of the committee on legal aid work of the American Bar Association, addressed to the Association of Governmental Labor Officials of the United States and Canada, which is reproduced below:

*To the Association of Governmental Labor Officials of the United States and Canada:*

This report will advise you that the first draft of a model statute for facilitating the enforcement of wage claims has been delivered to me by the draftsman, Prof. John M. Maguire of the Harvard Law School. This is the fruit of the work toward which your association made a contribution of \$50.

Your meeting in Paterson comes too soon to enable us to present this statute to you in final printed form and we have accordingly decided on the following procedure:

The draft will be printed at the expense of the American Bar Association and will be presented to that association at its meeting at Buffalo in August, 1927. We particularly desire the criticisms of the lawyers in that body because any wage payment law has several constitutional problems to avoid or overcome.

Reprints of the draft will be available for distribution at the September, 1927, meeting of the International Association of Industrial Accident Boards and Commissions and copies will be mailed to all members of your association, if you so wish.

The statute will also be submitted to the National Association of Legal Aid Organizations at its meeting in St. Louis in October, 1927.

With the benefit of these discussions and exchanges of opinion the matter should be ripe for formal consideration by your association at its 1928 meeting and I hope that it may be feasible for you to invite Professor Maguire to attend that meeting personally.

It would be premature to enter into any discussion of the draft at this time. It will, however, interest you to know that the law is based on the idea that there shall be a labor commission or bureau to enforce the provisions of the law. As the draftsman says in his introduction, "A vigorous administrative agency is essential to successful wage law enforcement."

This is an important task and the end sought to be obtained is of large importance. It has been and will continue to be a great pleasure to cooperate with you and other interested bodies in working out as perfect a law as our experience and abilities may permit.

Respectfully submitted,

(Signed) REGINALD HEBER SMITH,  
*Chairman Committee on Legal Aid Work,  
of the American Bar Association.*

It is unfortunate, no doubt, that the proposed draft of a model statute for facilitating the enforcement of wage claims is not ready to submit to you at this convention. However, Mr. Smith assures me that it will be placed in the hands of each member of this organization in time to receive your amendatory suggestions.

While therefore this must be considered rather a report of progress than as a final report of your committee, it is nevertheless urged that each State form a direct contact and enter into a specific agreement with the nearest representative of the National Association of Legal Aid Organizations for such coordination of the work as is deemed best for that locality. In the nature of things this is not a matter for the Association of Governmental Labor Officials of the United States and Canada to do as such. It can only urge upon its membership the advisability of thus linking up with the National Association of Legal Aid Organizations. However, the association as such may well keep in touch with the general movement and advise its membership annually upon the general situation, the progress of the model law, and many other things that are of general interest. It is suggested, therefore, that some such committee as this, if there is a committee, should be continued, and that the association should have a general survey of this subject presented at subsequent conventions.

[The following is the report of the United States Bureau of Labor Statistics study referred to:]

#### EXPLOITATION OF LABOR THROUGH NONPAYMENT OF WAGES, AND EFFORTS OF LABOR OFFICES TO ENFORCE PAYMENT

The defrauding of wage earners through the failure of employers to pay the promised wages continues to be a widespread and serious evil. The United States Bureau of Labor Statistics recently made inquiry of the various State labor officials as to their experience and activities in the handling of wage claims of workers who considered themselves defrauded and appealed to these officials for help. A similar inquiry was made in 1920 and the results published in the March, 1921, Labor Review. The results of the recent inquiry may be briefly summarized as follows:

(1) There is in the United States a widespread exploitation of labor through failure to pay wages. Thus in 1926, in 16 States for which more complete reports were made, wage claims settled only after the intervention of the State labor officials numbered over 23,400 and represented in the aggregate

a collection of \$1,216,000. Some of these undoubtedly arose through misunderstanding on the part of employees, but many were cases of intentional fraud. Moreover, there are unquestionably many legitimate wage claims which are never pressed.

(2) Although the amount of the average wage claims, about \$50,<sup>a</sup> may seem small, the records of hardship and destitution following the workers' failure to collect their earnings include such tragedies as dispossession of lodgings, recourse to charity organizations, and even death from exposure and suicide.

(3) A substantial number of State labor offices are rendering valuable service in collecting wages for workers unable to employ a lawyer or ignorant of their legal rights.

(4) The wage-adjustment work has increased very greatly in several of the labor offices. Such increase was particularly marked in the California, New Jersey, and New York offices, the first-mentioned office reporting the settlement of 16,121 cases in 1926 as compared to 5,362 in 1920, and in New Jersey the number of claims reported paid up in 1926 was almost sixty times the number settled in 1920.

(5) Some labor offices, notably California, Massachusetts, Nevada, and Utah, are backed with effective legislation in their wage-collection work, but a number of offices are heavily handicapped in such activities by inadequate legal support. Certain offices, however, despite laws without force or without specific legal authorization are doing effective wage-adjustment work.

NUMBER AND AMOUNT OF WAGE CLAIMS, 1920 AND 1926

Tables 1 and 2 bring together the detailed figures on wage collections from those States from which reports were in such form as to permit of tabular presentation.

TABLE 1.—AMOUNT COLLECTED IN WAGE CLAIMS, 1920 AND 1926, BY STATE LABOR OFFICES

Office	1920		1926	
	Total amount collected	Average amount of claim	Total amount collected	Average amount of claim <sup>1</sup>
Arizona Industrial Commission.....	(?)	(?)	<sup>3</sup> \$1,866.00	\$16.96
Arkansas Bureau of Labor and Statistics.....	(?)	(?)	4,021.00	27.54
California Bureau of Labor Statistics.....	\$206,389.00	\$38.49	<sup>4</sup> 976,368.00	60.57
Colorado Labor Department.....	33,642.00	36.77	13,896.00	26.47
Connecticut Department of Labor.....	1,815.00	18.15	(?)	(?)
Louisiana Bureau of Labor and Industrial Statistics.....	(?)	(?)	15,000.00	16.67
Massachusetts Department of Labor and Industries.....	5,749.00	16.71	28,705.00	14.74
Montana Department of Agriculture, Labor, and Industry.....	(?)	(?)	41.00	20.38
Nebraska Department of Labor.....	12,678.00	186.44	(?)	(?)
Nevada Office of Labor Commissioner.....	<sup>5</sup> 7,500.00	125.00	<sup>6</sup> 12,784.00	168.21
New Jersey Department of Labor.....	<sup>10</sup> 90.0	<sup>11</sup> 15.00	10,863.00	<sup>12</sup> 31.04
New York Department of Labor (division of aliens).....	(?)	(?)	31,169.00	31.01
Oklahoma Department of Labor.....	24,850.00	20.83	<sup>13</sup> 3,120.00	<sup>12</sup> 97.49
Oregon Bureau of Labor.....	<sup>14</sup> 23,781.00	41.58	<sup>8</sup> 20,147.0	46.11
Porto Rico Bureau of Labor.....	1,254.00	16.29	(?)	(?)
Utah Industrial Commission.....	(?)	(?)	<sup>9</sup> 12,377.00	50.52
Washington Department of Labor and Industries (division of industrial relations).....	87,873.00	67.72	73,584.00	62.89
West Virginia Bureau of Labor.....	(?)	(?)	<sup>15</sup> 4,000.00	20.41
Wyoming Department of Labor and Statistics.....	15,204.00	40.76	8,594.00	49.39

<sup>1</sup> Unless otherwise specified, average is based on number of claims settled.

<sup>2</sup> No department of labor in 1920.

<sup>3</sup> Nine months.

<sup>4</sup> Not reported.

<sup>5</sup> Includes also amounts collected in part payment of claims still pending.

<sup>6</sup> Cases involving less than \$50 referred to legal aid society. According to records of preceding 4 years, average number of cases referred in 1920 was 1,872, involving approximately \$10,000.

<sup>7</sup> All companies referred to municipal judge except out-State cases, which department handles by correspondence. No statistical report for 1926.

<sup>8</sup> Average.

<sup>9</sup> Eight months.

<sup>10</sup> Money involved.

<sup>11</sup> Based on money involved.

<sup>12</sup> Based on claims paid.

<sup>13</sup> Not including cases handled by telephone, which would increase amount substantially.

<sup>14</sup> Ten months.

<sup>15</sup> Estimate.

\* Based on number of claims reported settled.

TABLE 2.—TOTAL NUMBER OF WAGE CLAIMS SETTLED, 1920 AND 1926

Office	1920		1926	
	Total number of claims	Number settled	Total number of claims	Number settled
Arizona Industrial Commission.....	(1)	(1)	236	110
Arkansas Bureau of Labor and Statistics.....	(3)	(3)	297	146
California Bureau of Labor Statistics.....	7,603	5,362	27,813	16,121
Colorado Department of Labor.....	1,300	915	961	525
Connecticut Department of Labor.....	100	100	(3)	(3)
Louisiana Bureau of Labor and Industrial Statistics.....	1,872	344	1,200	900
Massachusetts Department of Labor and Industries.....	773	344	1,947	1,947
Montana Department of Agriculture, Labor, and Industry.....	(3)	(3)	27	2
Nebraska Department of Labor.....	117	68	(3)	(3)
Nevada Office of Labor Commissioner.....	777	760	201	76
New Jersey Department of Labor.....	7	6	580	350
New York Department of Labor (division of aliens).....	251	221	1,796	1,005
Oklahoma Department of Labor.....	1,326	1,193	188	102
Oregon Bureau of Labor.....	11,440	11,572	1,049	7436
Porto Rico Bureau of Labor.....	217	77	(3)	(3)
Texas Bureau of Labor Statistics.....	(3)	(3)	73	18
Utah Industrial Commission.....	(3)	(3)	245	245
Washington Department of Labor and Industries (division of industrial relations).....	11,590	1,401	2,122	1,170
West Virginia Bureau of Labor.....	(3)	(3)	200	196
Wyoming Office of Commissioner of Labor and Statistics.....	467	373	(3)	174

<sup>1</sup> No department of labor in 1920.

<sup>2</sup> Nine months.

<sup>3</sup> Not reported.

<sup>4</sup> Average based on 4-year record. All these claims were referred to legal aid society.

<sup>5</sup> Approximate.

<sup>6</sup> All complaints referred to municipal judge.

<sup>7</sup> Average.

<sup>8</sup> Eight months.

<sup>9</sup> Paid-up cases.

<sup>10</sup> Not including those handled by telephone.

<sup>11</sup> Ten months.

<sup>12</sup> Not including 230 cases handled by correspondence, of whose disposition there is no record.

It will be noted that in California, Massachusetts, New Jersey, and New York there was a very great increase in the number of claims handled and adjusted in 1926 as compared with 1920, while in other States, for example, Colorado, Oklahoma, and Oregon, the number of cases declined. So many factors are involved in this collection of wage claims that an analysis of the causes of increase or decrease in the amount of work done by State labor offices would be a most difficult task, and no explanation of the difference in volume of work in the two periods was requested. However, partial explanations may be inferred from the reports of these offices on their legal authorization or from their recommendations for new legislation.

In addition to the offices covered by the above tables a number of other offices made partial returns. The Maine Department of Labor and Industry's record for 1926 is 15 settlements, while the Michigan Department of Labor and Industry reports the collection of \$9,332.65 in wages in 1926, not including claims settled directly with the claimant. The New Hampshire Bureau of Labor, the Pennsylvania Department of Labor and Industry, and the Wisconsin Industrial Commission have adjusted wage claims, but gave no detailed figures.

In the following States the labor office reported no legal authorization to collect wage claims: Florida, Indiana, Iowa, Kansas, Kentucky, Minnesota, Missouri, North Dakota, Ohio, Rhode Island, South Dakota, Tennessee, Vermont, and Virginia. The Iowa Bureau of Labor, however, refers wage claims to the municipal court. The Ohio Division of Labor Statistics and Employment usually refers such claims to the municipal courts, public defenders, or legal aid societies. The Kansas, Minnesota, and South Dakota offices refer wage claims to small debtors' or small claims courts. When the amounts involved exceed \$50, the Minnesota Industrial Commission advises placing the case in an attorney's hands. In North Dakota an act of 1921 provides for conciliation boards to handle wage claims. There was no collection of wage claims in 1926 in Illinois, Maryland, Mississippi, North Carolina, and South Carolina, and no report was made as to whether the labor offices have authority to make such collections. No reply was received from Delaware, Georgia, the Philippine

Islands,<sup>2</sup> or Porto Rico. In Delaware, however, the duties of the labor commission are confined to the supervision and enforcement of the laws concerning women and children in industry.<sup>3</sup> A recent typewritten report<sup>4</sup> from the Philippine Bureau of Labor states that in 1925 there were 349 wage claims decided by that office in favor of the claimant. These cases involved 41,890.39 pesos,<sup>5</sup> of which 19,209.63 pesos was recovered and turned over to the claimants. The report of the commissioner of Porto Rico for 1924-25 shows that in that fiscal year the island bureau of labor settled 144 of 304 wage claims and collected in connection therewith \$2,209.03.

No questionnaire was sent to Alabama, Alaska, Hawaii, Idaho, and New Mexico, as the character or status of their present labor offices indicated that they were not engaged in the special activity covered in this inquiry.

#### LAWS UNDER WHICH LABOR OFFICES HANDLE WAGE CLAIMS

*The Arizona Industrial Commission* reports that it handles wage claims under the act of 1925, which created it.<sup>6</sup> Difficulties over wage claims in this State are principally in the cottage-building industry, and the wage claims are almost always over \$50, which takes them out of the reach of the small claims court. That court was provided for by the present legislature over the commission's protest, the latter body preferring authority to take assignments, interview the parties to the wage dispute, and if the employer still refused payment to press the case in court without costs to the claimant.

*The Arkansas commissioner of labor* or any person authorized by him, upon application of either employer or employee, is given authority by an act of 1923 (No. 380, secs. 15-17) "to inquire into, hear, and decide disputes arising from wages earned (provided the amount in controversy does not exceed \$200) and shall allow or reject any deductions from such wages." The act does not apply to wages "where regulated by Federal statute."

*The California commissioner of labor* and his duly authorized representative are empowered, under section 7 of the State wage collection law (Stats. 1919, ch. 228) "to take assignments of wage claims and prosecute actions for the collection of wages and other demands of persons who are financially unable to employ counsel in cases in which, in the judgment of the commissioner, the claims for wages are valid and enforceable in the courts; to issue subpoenas, to compel the attendance of witnesses or parties and the production of books, papers, or records, and to administer oaths and to examine witnesses under oath, \* \* \* and to take depositions and affidavits for the purpose of carrying out the provisions of this act and all other acts now or hereafter placed in the bureau for enforcement."

*The Commissioner of Labor and Industrial Statistics of Louisiana* points "there is no statute in existence authorizing the labor commissioner to collect private debts," and that its wage-collection work is hampered by this lack of definite authorization. The legislature, however, appropriates \$1,200 per annum for the compensation of a clerk to assist in handling wage claims.

*The Labor Department of Connecticut* reports that it handles wage claims under section 5312 of the General Statutes, 1918, which provides a penalty for withholding wages, and under the weekly pay day law. (Acts of 1919, ch. 216, secs. 1 and 2.)

*The Commissioner of Labor and Industrial Statistics of Louisiana* points out that certain legal restrictions are imposed upon the assessment of fines by the employer, upon withholding wages as a method of punishment and upon deductions "beyond the actual damage done willfully, maliciously, or negligently to the property of the employer." Cases of violation are handled by the State labor office, which gives the employer the choice of paying the wages due or of being prosecuted. When recourse is had to prosecution the State labor office furnishes an attorney to collect the claim by civil action.

*The Maine Department of Labor and Industry* invokes the weekly payment of wages law<sup>7</sup> in its wage-collection work.

<sup>2</sup> Philippine report received too late for inclusion in article.

<sup>3</sup> U. S. Bureau of Labor Statistics Bul. No. 370: Labor laws of the United States with decisions of courts relating thereto. Washington, 1925, p. 273.

<sup>4</sup> Philippine Islands Department of Commerce and Communications. Bureau of Labor. Principal activities of the bureau of labor. Manila [1916], p. 15.

<sup>5</sup> Peso at par=50 cents.

<sup>6</sup> Arizona Acts of 1925, ch. 83.

<sup>7</sup> Maine Rev. Stats. of 1916, ch. 49, sec. 34.

*The Massachusetts Department of Labor and Industries* may make complaints against any person for a violation of section 148 of the weekly wage payment law. Such complaint must be made within three months of the violation, and "on the trial no defense for failure to pay as required, other than the attachment of such wages by trustee process or a valid assignment thereof or a valid set-off against the same, or the absence of the employee from his regular place of labor at the time of payment, or an actual tender to such employee at the time of payment of the wages so earned by him, shall be valid."<sup>8</sup>

*The Michigan Department of Labor and Industry* is charged with the enforcement of the provisions of Act No. 62 of the Public Acts of 1925 regulating the time and manner of the payment of wages.

*The Montana Department of Agriculture, Labor and Industry* reports that that State has "no adequate law to permit the collection of such claims."

*The Nevada labor commissioner* is authorized (Stats. of 1915, ch. 203, sec. 4) "to take assignment of wage claims and prosecute actions for collections of wages and other demands of persons who are financially unable to employ a counsel in cases in which, in the judgment of the commissioner, the claims for wages are valid and enforceable in the courts." If, after investigation, the commissioner is satisfied that the claim is valid, he turns the cases over to a district attorney for action.

*The New Hampshire commissioner of labor* writes: "We have no law relative to this matter, except the weekly payment of wages law."

*The Commissioner of Labor of New Jersey* reports that there is a State law<sup>9</sup> requiring every person, firm, association, or partnership and every corporation organized under the corporation act of 1896 (except agricultural and water workers) to pay at least every two weeks in legal currency the full amount of wages earned and unpaid up to within 12 days of said payment and providing penalties of from \$25 to \$100 for violation. Complaint must be made within 60 days from the date the wages become payable, and two weeks' written notice must be given before complaint is made. The complaint must be signed by the commissioner of labor, the State department of labor being "authorized and directed to enforce the provisions" of the act.<sup>10</sup>

*The director of the division of aliens of the New York State Department of Labor* cites section 211 of the labor law as the authority of that office to act in wage claims. This section provides that the "commissioner shall cooperate with any employee in the enforcement of a just claim against his employer and for his protection against frauds and other improper practices on the part of any person, public or private."<sup>11</sup>

Cases are handled under the labor law (art. 6, secs. 195-197), which provides that wages be in cash and be paid weekly or semimonthly and prohibits assignments of wages. Penalty is provided for violations.

*The Department of Labor of Oklahoma* acts to bring about the settlement of wage claims, but refuses to handle any part of the money, as it has "no authority to collect wages under the laws of this State."

*The Oregon Bureau of Labor* has no authority to adjust wage claims, according to its biennial report for 1925 and 1926, "unless the laws creating the department could impliedly be construed to give us that work to do."

*The Porto Rico Bureau of Labor* reported in 1921 that in the matter of handling wage claims it acts on authority of the law creating the bureau and of section 18 of Jones Act, approved by the United States Congress March 2, 1917.

*The Commissioner of Labor Statistics of Texas* is charged with the duty of enforcing the semimonthly pay day law and of instituting prosecutions in connection therewith. (Acts of 1915, ch. 25, sec. 3.)

*The Industrial Commission of Utah* is authorized to enforce the provisions of an act of 1919 providing for the regulation of and time of payment of wages to employees in private employments, for regular pay days in such employments, and for a penalty for violations.

*The Department of Labor and Industries of Washington* handles wage cases under authority of the law, which provides that payment for labor "be made

<sup>8</sup> Massachusetts Department of Labor and Industries. Labor Law Bulletin No. 9.

<sup>9</sup> New Jersey P. L. of 1899, ch. 38, as amended by P. L. of 1904, ch. 195, and Comp. Stats., 1910, p. 3044.

<sup>10</sup> U. S. Bureau of Labor Statistics Bul. No. 408: Laws relating to payment of wages, by Lindley D. Clark and Stanley J. Tracy. Washington, June, 1926, p. 103.

<sup>11</sup> U. S. Bureau of Labor Statistics Bul. No. 370: Labor laws of the United States, with decisions of courts relating thereto. Washington, 1925, p. 760.

in lawful money \* \* \* and when any laborer performing work or labor as above shall cease to work, whether by discharge or by voluntary withdrawal, the wages due shall be forthwith paid either in cash or by order redeemable in cash at its face value on presentation at bank, store, commissary, or other place in the county where the labor was performed." (Remington and Ballinger Code, 1905, ch. 112, sec. 7594.)

*The Commissioner of Labor and Statistics of Wyoming* calls attention to an act<sup>23</sup> on the statute books of that State which, he writes, "is evidently intended to require payments at the termination of employment." The law, however, is ambiguous and uncertain in its terms; when a suit is successful a penalty may be imposed upon the employer, but "the employee gets no benefits from the prosecution, not even the wages he has earned." Claimants are frankly told "that the labor commissioner has no power to collect wages."

As is seen, in some States wage claims are handled by labor offices which, according to their own reports, are not specifically authorized by law to do so. It is interesting to note, however, that all the States except Alabama, Delaware, Florida, Idaho, and Washington have some form of periodic wage payment legislation which has been found helpful by certain labor offices as a background for wage adjustment.

#### PROCEDURE

In labor offices which do not refer wage claims to other agencies the initial procedure in the handling of cases does not vary greatly from State to State. Claims are taken up by correspondence, personal calls, conferences, and hearings. Some cases are handled by telephone.

When the matter can not be adjusted by this preliminary procedure the next steps differ somewhat from State to State. The Arizona and Nevada offices refer cases to county attorneys. In Arkansas building cases a lien is filed in the labor office, and sometimes it is necessary to file suit.

In California in most instances the employer and the wage claimant are cited to appear at a hearing before the State commissioner of labor statistics. If an adjustment can not be thus effected, the employer must appear at the district attorney's office "to show cause why a warrant should not be issued for his arrest." The question in controversy is again gone over before a representative of the district attorney's office in the presence of an agent or deputy of the bureau of labor statistics, the defendant employer, and the wage claimant. If the employer maintains his refusal to settle the claim in the amount decided upon as due the claimant, a criminal warrant is issued for his arrest. Criminal or civil action, however, is resorted to only when there is no alternative.

The Louisiana office advises the employer that if he does not settle at once the claim will be collected by a member of the legal aid society at the employer's expense.

The employer is given to understand by the Maine office that if the claim is adjusted before a certain date the department will not start criminal action, but that the complaint will be filed "pending future observance of the law."

As already stated, the Iowa Bureau of Labor turns all wage claims over to the municipal court, where an effort is made through the assignment clerk to settle the case without cost to either the employer or claimant. When such settlement is not possible and the assignment clerk thinks that the claim is a just one, the court orders that the costs follow the suit, and the department's attorney takes care of the case without charge to the claimant. This scheme has been in operation for the past eight years. The former assignment clerk reported that fully 80 per cent of the claims were settled without cost or recourse to court procedure. Such an arrangement, however, would not be possible except with a friendly court. All four of the judges of this municipal court have been cordially in sympathy with this system.

When the Massachusetts office fails to bring about an adjustment the employer is summoned into court. If he is found guilty, the judge continues the case for a few weeks to give him the opportunity to pay the claim.

The Montana department handles wage cases almost entirely by correspondence, but its experience is reported as "very unsatisfactory."

If the New Jersey department is unsuccessful in its preliminary procedure, written notice is served on the employer; and if there is no open question as to

<sup>23</sup> Wyoming Comp. Stats., 1920, ch. 257, sec. 4310, as amended by Acts of 1923, ch. 36.

the merits of the wage claim, a complaint against him is signed at the close of the time set. Indictment by grand jury must be secured in order to get a conviction. In only one case has there been a conviction, as the primary purpose in these cases is to secure the payment of the wages rather than to penalize the employer. Recourse is now being had to the practice of making complaint before a police magistrate through whose cooperation the department is able so to impress the employer with the gravity of his offense that the wage claim is paid without further procedure. Some wage claims have been referred to the civil courts; but the department's experience shows that in such event a prompt settlement can not be expected except in cases coming under the pauper act which allows free service for claims involving \$20 or less.

In New York, if the employer refuses to follow the advice of the division of aliens to pay the claim, the complainant is counseled to take court action. When it is thought necessary, the director of the division or his representative accompanies the complainant to court on the day of trial, in order to present the facts in the case which the division has secured.

The Pennsylvania department and the Wisconsin commission advise the complainants to consult an attorney, the Texas commissioner directs suit by the attorney general or by county or district attorney, and the Michigan department and the Utah commission, as already indicated, have the power themselves to enforce the legislation regulating the payment of wages.

#### CAUSES FOR THE NONPAYMENT OF WAGES

Among the outstanding causes for the nonpayment of wages which lead to the presentation of claims at State labor offices are the following:

1. Misunderstanding of rates of pay and employment conditions.
2. Failure of workers to insist upon periodic payments.
3. Practice of workers of quitting without notice and of failing to work out the full term for which engaged.
4. Bad checks given to workers.
5. Insufficient capital on part of employers and undertaking of work by contractors at such a low figure that they are unable to pay the workers.
6. Objection of employers to paying wages except on regular pay days, sometimes with intention to defraud the laborer of his earnings.
7. Inefficient management.
8. Inadequate wage payment legislation.

The Colorado office makes particular mention of cases in which housewives try to "beat" domestic servants out of their earnings. The Louisiana commissioner declares that some employers never pay until they are forced to do so. Intentional failure on the part of "shoestring" promoters, notably in the mining industry, accounts for some of the Nevada wage claims; and both that office and that of Ohio make specific mention of wage claims by nurses.

The Oklahoma, West Virginia, and Wyoming officials report special difficulties in the form of complaints from mine workers or oil drillers, the Wyoming commissioner stating that the exploitation of labor in that State is encouraged by the great stretches of thinly populated land.

#### RECOMMENDATIONS

The recommendations of various labor offices regarding improvements in the methods of collecting wage claims are given in brief below. A large number of the offices did not report on this point.

The Industrial Commission of Arizona is in favor of a law similar to that of California, which makes it a prison offense to employ labor and fail to pay the same upon resignation or discharge.

The setting up of small claims courts is favored by the labor offices of Arkansas and Colorado, but in Arizona where such a court has recently been constituted, this was done over the protest of the industrial commission.

The commissioner of labor of Louisiana thinks he should have jurisdiction in the collection of wages, or a poor man's court should be established or a public defender appointed to collect wages from employers who fail or refuse to pay their workers. If possible such employers should be jailed.

Suggestion is made that the name of the division of aliens of New York be changed to one that will describe its duties more accurately. The largest amount of the division's work is done for persons without regard to their

citizenship status. Most of the wage claims in the fiscal year 1926 were made by American citizens. Under section 198 of the New York labor law and sections 1272 and 1275 of the penal law, penalties are provided for the non-payment of wages by corporations or joint-stock associations. The chief of the division recommends the inclusion also of nonpayment by a person or co-partnership, as this would save the workers thousands of dollars. Only in New York City "is the employee entitled to a body execution, and judgment must be obtained for wages earned within a period of 90 days." In the cities and towns up-State there is no such safeguard for workers, the assistance of the division being the only protection afforded them. Since many workers are defrauded annually by being given worthless checks in the payment of wages, the division also recommends that section 1292A of the penal law be further amended to make such actions punishable.<sup>13</sup>

Section 196, subdivision 2, of the New York labor law reads as follows: "Every other corporation or joint-stock association, or person carrying on the business thereof by lease or otherwise, shall pay weekly to each employee the wages earned to a day not more than six days prior to the date of such payment." The director of the division suggests that "person or copartnership" should be inserted after the words "lease or otherwise."<sup>14</sup>

"The injustices suffered by workmen and women in these districts and the hardships they endure will surely tend to minimize the respect for law and order, unless the State will protect these unfortunate employees against the inhuman conduct of the sharpers who prey upon them.

"Many philanthropic and social organizations have availed themselves of the services of this division and have sent many cases to us, and we have received letters of thanks and commendation in acknowledgment for the services performed by us."

The division states that it requires an addition of nine to its investigating staff and three more stenographers to meet the constantly increasing demands being made upon it for assistance.<sup>14</sup>

The Montana office "has more than once recommended" that the legislature enact adequate legislation for the collection of wages, while the Oklahoma department declares that adequate legislation of this character "is the only remedy," and the Oregon bureau comments upon its legislative handicap in the settlement of wage claims, as follows:

"As heretofore indicated, Oregon laws are inadequate to enable us to accomplish a full measure in the matter of wage collections; yet, notwithstanding this handicap, we continue to be able to adjust numerous claims through no other medium than the prestige of the bureau, mediation, and arbitration.

"We were unsuccessful in effecting any settlement in 1,225 claims (record for biennium 1925-1926), the exact amount unascertainable but probably equal the amount we were able to recover. No results were obtained with a number of these claims on account of insolvency of the debtor, but the major portion failed of adjustment because the debtors were willing to take advantage of persons in no position to enforce their claims in a court of justice.

"We know of instances where the claimant has failed to collect wages justly due him and had to appeal to the welfare board or other charity organization for assistance for self and family. Had he been able to collect what was justly due him, he would have been able to care for himself and retain his self-respect and not become a burden upon society."<sup>15</sup>

Enforcement of a law making it a jail sentence intentionally to fail to pay wages is the procedure suggested by the Nevada commissioner.

The director of the Washington office writes: "There is quite a difference of opinion as to whether or not the State government should be used as a collective agency, and in this district, at any rate, quite a reaction from any further extension of the government into the paternalistic field. The State law provides that a labor lien has a priority over all other claims." The experience of the department during the administration of the present director has been that most wage claims can be adjusted if the parties are willing to be fair in the matter and do not lose their tempers.

<sup>13</sup> New York State Department of Labor. Report of the industrial commissioners, 1926. Albany, 1926, pp. 461, 463.

<sup>14</sup> Idem, p. 464.

<sup>15</sup> Oregon Bureau of Labor. Twelfth Biennial Report, from Oct. 1, 1924, to Sept. 30, 1926. Salem, 1926, p. 13.

Recommendation has been made to the present legislature by the Wisconsin commission that it be given authority to assist in the adjustment of wage claims and to enforce the laws concerning the payment of wages; also that attorneys' fees in actions for work and labor be increased in order to offer more of an inducement to take up these small claims.

In the judgment of the Wyoming commissioner, when wages are not paid within five days after the work has been done or the employee leaves or is discharged, the wages in such cases should continue at the same rate until suit is begun, but not to exceed 15 days.

#### CONCLUSION

Various references have been made in this article to small claims courts and legal aid organizations which are also largely engaged in the collection of wage claims. A closer coordination of these several systems of legal aid would undoubtedly result in the promotion of desirable standardization and uniformity of procedure. Indeed, the records of the vast amount of excellent wage-collection work being done by State labor offices do suggest both directly and by implication great possibilities for further progress. In this connection the recommendation of the State labor officials should be carefully studied.

Mr. STEWART. While I am on the program to make the report on statistics, Mr. John Hopkins Hall, of Virginia, is chairman of that committee. I think he should make the report. We have a report signed by Mr. Hall and myself. Miss Peterson, of the Women's Bureau, is in Europe, and could not be reached; hence her signature is not attached.

[Mr. Hall read the following report:]

#### REPORT OF COMMITTEE ON STATISTICS

Since the Columbus convention of this association the question of classification of occupations by industry, etc., has taken on a new slant.

A revision of Bulletin No. 276 of the United States Bureau of Labor Statistics, entitled "Standardization of Industrial Accident Statistics," has been under discussion for some time. This bulletin is now 10 years old, and a number of important industries have sprung up in the meantime which are not even referred to in it.

The suggestion was made that the revision should be made under the procedure of the American Engineering Standards Committee. This suggestion was amplified and presented to the conference in Washington and later to the Hartford convention of the International Association of Industrial Accident Boards and Commissions by Dr. Leonard W. Hatch, chairman of the committee on statistics and compensation insurance cost of that organization. This was approved, and the American Engineering Standards Committee was invited by the International Association of Industrial Accident Boards and Commissions to proceed with the work of revision. That organization has appointed three sponsors—the International Association of Industrial Accident Boards and Commissions, the National Safety Council, and the National Council on Compensation Insurance. A committee of one from each of the sponsors has been appointed to organize a sectional committee, under the procedure usual with the American Engineering Standards Committee, and the work is now in progress. The Association of Governmental Labor Officials of the United States and Canada will be represented upon the sectional committee.

In view of the above-stated facts your committee is of the opinion that nothing should nor can be done in the way of furthering the work in hand until the revision of Bulletin No. 276 has been completed.

This does not undo nor recall the suggestions made in the report of this committee which was adopted at the Columbus convention, but it does in the judgment of your committee mean that no further steps can be taken at this time. Your committee recommends, therefore, that this committee be continued or a similar one appointed at this convention to watch the proceeding of the revision, and when this shall have been completed take up the question of classification and nomenclature and prepare a final report.

JOHN HOPKINS HALL, Jr., *Chairman.*

ETHELBERT STEWART.

## DISCUSSION

The CHAIRMAN. You have heard the report of these two committees. If there is no objection I will turn both reports over to the committee on resolutions for further action. We can accept the second report as a report of progress.

Before closing this part of the program I understand there is a representative from the legal aid society in the room, and I would like at this time to have a few words from him. Mr. Bradway.

Mr. BRADWAY. I was very much interested in hearing Mr. Stewart's report on the work of your organization and ours. There were certain matters that impressed me particularly, and if I may have a moment I would like to enlarge a little on them.

First, let me place legal aid work firmly in your minds. Our legal aid work is supplying the services of a lawyer to a man who can not afford to have one. We run what is known as poor men's law offices. We come in contact with wage claims, workmen's compensation, landlords, domestic difficulties, and 250 different kinds of legal problems that poor people run up against.

When we started to study the problem, we felt that the approach would be more satisfactory if on one side we could get the American Bar Association and on the other side your organization, because we felt that the three organizations represented in this group were the ones upon whom the responsibility rested primarily of doing something.

We felt there were two solutions, and Mr. Stewart has indicated them in his report. The first solution, we felt, was that we ought to have in our hands a satisfactory law for the collection of wage claims. We felt that the only way we could get that law was to gather some money and place some people in a law library with the proper records so that they could study the matter out, and thanks to the American Bar Association we have had a group of men in the Harvard Law School study on that law for the past three or four years. I think they have shifted the last comma now and are about ready to put out a report for consideration.

We think, however, that even after the law is in effect, even after we have the law, something further remains to be done. Our legal aid organizations are pretty well scattered over the United States. There are about 75 of them in the different parts of the country. We believe that in working out this law, and in working out any law in any State on the subject of wage claims, there are always problems coming along in which the services of a lawyer are helpful. Our organization supplies the services of the lawyer, and it will be

a matter of pleasure to our organization if we can be of assistance to your organization in the collection of wage claims.

As Mr. Stewart said, the method of making the cooperation is a local problem. All we can do here is to submit the fact that we are ready to help and to say that if you will call on us we will do all we can to render the proper service. If there is any question in your mind as to the nature of legal aid work, I would suggest that you secure and read Bulletin No. 398 of the United States Bureau of Labor Statistics, which covers the subject to a certain extent.

If you desire to get in contact with any legal aid organization in your State, I would be glad to send you the names and addresses of those organizations. If Mr. Stewart thinks it more satisfactory to do it in some other way, I will be glad to submit to him a list of the names and addresses of legal aid organizations, so that in your own communities you can get in touch with the proper people and help collect these wage claims.

I realize there are some difficulties in the way of effecting adjustment, but the work is well worth doing. The service that we render will be very satisfactory in the long run, and I do not believe that the difficulties are insuperable at all.

Mr. STEWART. The bulletin to which Mr. Bradway has referred has a list of the legal aid organizations that was furnished us at that time. I think that list should be complete. If it is complete, we will publish it in the Monthly Labor Review, and as all the States get that you can at least have an up-to-date list of the locations of those organizations.

The CHAIRMAN. The next number on this program is reports of representatives on safety code committees. Miss Schutz will make the report at this time.

[Secretary Schutz read the report of the building exits code committee submitted by E. C. Chapin, supervising inspector of the department of labor of Pennsylvania.]

#### REPORT ON BUILDING EXITS CODE

The building exits code as developed by the committee up to and including the February, 1927, meeting was adopted by the American Engineering Standards Committee as a tentative American standard on March 4, 1927. \* \* \* An historical sketch appears on page 3 which outlines the development of the work and on pages 5, 6, and 7 will be found an introduction indicating the manner in which it was intended to be used. With the exception of the definitions in the latter portion these two excerpts would properly introduce the code to the members.

The code is too long for reading in any convention and after having drawn the attention of the members to the general provisions it is recommended that those who are interested procure copies from the sponsor body, the National Fire Protection Association, 40 Central Street, Boston, Mass., at the published price of \$1.

For presentation at the 1927 convention of the National Fire Protection Association, the committee prepared section 25 for the building exits code on places of public assembly. This section had not been overlooked in the past, but it was felt that this particular class of building had received close attention from various legislative and enforcing bodies due to the attention attracted by such catastrophes as the Iroquois Theater fire.

The recent Laurier Palace Theater fire in Montreal disclosed the fact that even though there had been general attention to this matter the enforcement was not as thorough as it should be, and the committee proceeded to work out this occupancy section. It was presented at the convention of the National Fire Protection Association on May 12, 1927, and tentatively adopted without discussion and without a dissenting vote, but the members of the committee do not feel it is perfect and criticisms on it will be welcome. \* \* \* Copies [of this section] can be obtained from the National Fire Protection Association upon request.

The draft of the American Engineering Standards Committee tentative code has been adopted by the State of Louisiana as a standard under provisions of Act No. 300 of 1926, section 1 \* \* \*. This is the first State to take such action.

At the present time a uniform building code is being prepared by the Pacific Coast Building Officials' Conference, with whom the committee has been in contact, and while not adhering strictly to the letter of the code, as written, the principles have been embodied in many of the standards for exit requirements and stairway protection.

The building code of the District of Columbia, section 6, dealing with means of egress and special requirements for occupancies, is based upon the subject matter of the building exits code, somewhat modified to conform to existing regulations in the District. Other requirements on construction agreeing with the code requirements are found in section 7 of the District building code covering fire prevention and protection regulations.

The city of Philadelphia is at the present time considering the remodeling of its building code requirements, and the committee in charge of this work has been provided with copies of the building exits code so that they might make use of it.

These instances show that recognition is gradually being accorded to the code and a close study of its provisions by members of your association is strongly recommended.

The committee would welcome any inquiries or criticisms in regard to the subject matter of either the tentative code as approved by the American Engineering Standards Committee or section 25. If you care to submit such criticisms through your representative, they will be given careful consideration.

## DISCUSSION

The CHAIRMAN. If there is no objection, that report will be turned over to the committee on resolutions for any action it may deem advisable.

MR. STEWART. I don't want to talk all the time, but it does seem to me that something ought to be done about our representatives on those safety code committees. So far as the walkway code is concerned, it is making good progress after a long struggle. The situation was this: The walkway surface people submitted material to the Bureau of Standards, and certain marble material and certain tiles did not come up to the standard. They were paying for the work and refused to let the report come out. I took the matter up with the American Engineering Standards Committee. I told it that I did not give a whoop about marble walkways nor very much about tile walkways; so far as I was concerned, personally, I never even dreamed that I would walk in marble halls; that what we wanted was

a walkway safety code for the kind of walkways that the people we are supposed to be interested in use—the floors in factories, the walkways around factories—and that marble did not excite me at all; and to let that whole bunch go and to give us a safety walkway code on ordinary nonskid surfaces, such as we mean when we talk of safety floors and walkways.

That is being done and the code is well under way. So far as the explosive dust code is concerned, one section of it is finished and has already been published by the Bureau of Labor Statistics.

This amusement park code I am afraid is amusing itself somewhere, I don't know where; but one of the objections of the American Engineering Standards Committee to the whole labor cooperation in their work is that labor representatives do not attend and they do not get the recommendations they ought to.

It does seem to be that an organization like this is entitled at least to reports from its representatives on those code committees.

The CHAIRMAN. I expect the resolutions committee will take some definite action on that report.

The next number on the program is the report from Mr. Hall, of Virginia, who attended the Industrial Accident Prevention Conference held in Washington, D. C., July 14 to 16, 1926.

[Mr. Hall gave the following report:]

#### REPORT ON INDUSTRIAL ACCIDENT PREVENTION CONFERENCE

As an official delegate representing the Association of Governmental Labor Officials of the United States and Canada at the Industrial Accident Prevention Conference called by the honorable Secretary of Labor, held in Washington, D. C., July 14, 15, and 16, 1926, I have the honor to report in brief as follows:

There were in attendance several hundred delegates from all parts of the United States and Canada, comprised of three groups—Federal and State labor officials; manufacturers, operators, and large employers of labor; and representatives of labor unions and employees. Many valuable papers were read by scientists, economists, and safety engineers, and much valuable discussion ensued.

The association was honored by having its representative preside at one of the sessions and also named as secretary of the resolutions committee.

Greetings were read from His Excellency the President of the United States, and in an address by the honorable Secretary of Labor recommendation was made that a national safety museum and institute be set up in Washington.

The outstanding resolution adopted was one calling on the several States to prepare standard and uniform data relative to industrial accidents computed on a man hour or day basis, and to forward same to the United States Bureau of Labor Statistics, as of fundamental importance for the most dependable comparisons of experience in prompt accident prevention. A resolution providing that an annual conference should be held was referred by the conference to the Secretary of Labor for his consideration and such action as he considered advisable. Much valuable information was gathered by the delegates in attendance.

[The secretary-treasurer read a few communications from men who could not come to the convention.]

The CHAIRMAN. We will now listen to a report by Mr. Hall on amendments to the constitution.

## REPORT ON AMENDMENTS TO THE CONSTITUTION

Amend Article III, section 1 (a) to read as follows:

(a) Members of the United States Department of Labor, United States Bureau of Mines, and the Department of Labor of the Dominion of Canada; such representatives of the 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.

The object of this amendment is to permit the United States Bureau of Mines to become a member of this association as was proposed at the last meeting.

The CHAIRMAN. If there is no objection, this proposed amendment will be turned over to the committee on constitution and by-laws.

[Meeting adjourned.]

## EMPLOYMENT

The CHAIRMAN. I do not profess to have any deep-seated knowledge of the work that is done by our employment service, my duty being to see, as far as possible, that we get results for the money that is expended. However, there are one or two phases of departmental work that seem to sink in deeper than others, and, in my judgment, there is probably no sphere of government activity which surpasses in importance the work done by our employment service. I think most social investigators are agreed that one of the greatest evils in the social and the industrial problems to-day is the fear of unemployment. And it may be readily understood, even if it is not yet adequately appreciated, that anything the States can do to reduce that great fear to a minimum is worth while. After all, the very life-blood of our people, and more especially of those who are dependent upon the wage earner, is in the first and the last analysis dependent upon security of employment.

It is not contended that the employment service in the various States of the Union or in the Provinces to the north of it can in any degree whatever increase the volume of available employment. Its function, in my opinion, is to see that the maximum number are employed under any given condition at the available volume of employment. If it succeeds in so doing, it is executing a work which calls for every financial support we can give to it and every encouragement as well.

There was a time when the unrestrained laws of supply and demand controlled the labor market. But the complexity of modern industry, the specialization of work, seasonal factors, psychical factors, and geographical factors make it more and more difficult for the isolated individual to become acquainted with the exigencies in industry, and consequently the State provides a medium whereby those factors are focused in such a way that the most reliable information is given to the applicant for employment. That is a very important phase of employment-service work, as I understand it.

Another important phase is to secure the job. You can not place the man unless you have the job in which to place him. Securing the job involves securing the confidence and the cooperation of employers. Employment-service work can not hope to be wholly successful unless we secure the unqualified and unstinted cooperation of employers. The employers are the persons who have the jobs to hand out. The more jobs they are willing to place in the direction of the employment-service offices, the more successful is the work of the offices likely to become.

The next thing to see is that the applicant, whether male or female, is suited for the job that is open. If you sell a dozen eggs—I do not like, of course, to use commercial terms in talking about employment-service work, but probably the illustration will convey what I mean—to a customer, you can not expect the renewal of that customer's trade if you sell bad eggs. If you send an inefficient worker to an employer, you can not expect that the employer will patronize your employment office any more. Therefore, it is absolutely essential for the members of the staff to take good care that the applicant referred to any position is likely to surpass the expectations of the prospective employer. Of course, I will admit—and I think we all must recognize that there must be a certain amount of humanitarianism invested in the work of the employment service—that if the work of the employment service was carried out in its entirety upon biological lines—that is, the survival of the fittest, the placement of the most efficient—we would probably find a residuum in employment-service work that would be unplaceable, because in industry there is and probably always will be a minimum of unemployment; whether it is 1 per cent, 2 per cent, or 5 per cent you will always have that minimum. And there again the employment-service official has to adopt a humanitarian point of view as well as a scientific point of view. We often find that employers who have been appealed to are very ready and willing to see that the humanitarian side of our work is successful to a certain extent.

The development of employment-service offices has, I think, taken a greater hold in Canada than in the United States. Probably that is due in part to the influences of the Great War period. It became necessary in order to obtain the maximum of efficiency to mobilize and to harness man power and labor power to the greatest extent possible. Undoubtedly it facilitated the development of the employment-service work in Canada.

I was just reading the first report issued by the New Jersey Department of Labor, and I want to congratulate the department officials on their first issue. If they can maintain that high standard, it will be a wonderful bulletin.

A point I noticed in this bulletin about employment-service work was that the sum of \$30,000 (and I do not mention this in any critical sense) was expended by your State for the work of the employment service. Now, I come from a Province that during the last fiscal year spent \$175,000 in employment-service work. It is true that the Federal Government paid as a subvention something like \$30,000, nevertheless the net expenditure of the Province of Ontario for employment-service work was something around \$140,000, and we are not doing as much as we could do. By that I mean that while we have a fairly large number of offices situated in strategic industrial centers throughout the Province, yet a good deal more could be done if we wished to control in its entirety the labor market in the Province of Ontario. I have great hopes for employment-service work as a partial solution of some of our gravest industrial problems.

We sometimes hear sentiments expressed which involve the use of the color "red." If there is one thing more than another that will dissipate "red" sentiment it is honest-to-goodness work and the

chance for the average man and woman to be engaged in honest-to-goodness work.

I have had some experience in the labor movement, and I have not met one person who, having had a reasonable chance to earn his or her living consistently and being decently paid for it, is very much actuated by "red" sentiment. Therefore, the more we can do toward opening up and securing decent opportunities for earning one's livelihood, the more we are accomplishing for the stability and the integrity of the institutions of the State.

I am more than pleased to introduce to you Mr. Eldridge, director of the employment service in the State of New Jersey.

### PUBLIC EMPLOYMENT METHODS

BY RUSSELL J. ELDRIDGE, DIRECTOR OF EMPLOYMENT NEW JERSEY DEPARTMENT OF LABOR

Public employment work, by which is inferred public employment bureaus and the ramifications of their efforts, while accepted in principle for many years, is perhaps the newest development of labor department activity and interest with the exception of one—that is, rehabilitation. The thought of rehabilitation sprang from the experiences of the public employment bureaus, as many of those now directing the wonderful work of human reclamation came from the ranks of employment bureau workers. The placement of the handicapped was early set aside as a special responsibility and problem of the employment bureau, until the large-scale experiences of the war in the possibilities of physical and vocational rehabilitation focused sufficient attention and developed sufficient data and experience to produce a separate and a more closely scientific administration of the subject. Rehabilitation has earned its deserved place by its accomplishments, but first by its appeal to sympathy and humaneness and its claim to industrial value.

As one looks over the equipment in the country to-day in the employment field, the conclusion is inevitable, I think, that the parent has lived to see the child outdo it, in public acknowledgment certainly, and, too, while not in quantity, in quality of accomplishment. To me it seems that public employment should emulate the modern parent and step out to keep up with the new generation and to take its place in the sun.

The public bureaus in New Jersey, where there are normally six, place each year about 125,000 persons in jobs, in almost every conceivable industrial and commercial occupation as well as in farming and in private employment. This, to my mind, is a service of prime value to the work of any labor department as a whole which is concerned with the worker on the job and his surroundings therein. It is very frequently the only personal touch the worker has with the labor department. It tends to create a receptive mind condition of the worker wherein he will give the understanding cooperation so essential to obtain successful accident prevention, observance of sanitary and hygienic safeguards, and those of fires and occupational disease prevention. Needless to say, the enforcement of labor laws is greatly facilitated by the placement of persons only in work which is not in conflict with such laws, the outstanding exceptions being firemen and engineers and juniors affected by child labor laws.

A description of the duties and possibilities of public-employment exchanges would appear to be trite, as they were known and agreed upon a dozen years ago. The truth is that the agreed desideratum has not been accomplished. The services have not been developed and the possibilities not fully realized.

The reasons for lack of progress and expansion are several and are based largely on our public position, which requires that we stand ready to serve all comers and to handle bulk—the wheat and the chaff. First, those who are presumed to be most benefited by our work, the men and women who are helped to jobs, are either of brief memory or at best are inarticulate in those quarters where appreciation may be shown by aiding to helpful legislative appropriation, both State and Federal. The private agency which lives by a fee for the job demonstrates this in practical application by seeking its fee almost solely from the worker. As a direct result of this situation, appropriations and facilities accorded our work have definitely not kept pace with the general rise of costs, of comparable work in industry, and with the original and continually added responsibilities. We learn that we must develop as many different phases of the work as there are agencies whose support we require, each being interested primarily in divergent phases.

Engrossed in performing the obvious task of connecting men with jobs, we have become calloused, perhaps, and fixed in a rut. We need to take the human inventory, which is now advocated to employers as an accompaniment to the goods inventory. We have fallen behind in securing an appreciation and general understanding of the long-range benefits of our work and of its wider possibilities. We need wholesome publicity to present the true facts. We need to have a personnel the members of which are worth so much more than they are paid that they not only can see and understand the greater opportunities beyond mere casual placement but also will be able actually to develop those opportunities in practical application and acknowledgment. We need to look for betterment by improving on our present job.

*Functions.*—The major functions of the employment bureau are: To smooth out what is called dislocation of labor; to save time in finding work or in filling a job; to cut down occupational misfits; to provide opportunities and information as to training; and to collect data on extent and remedies for unemployment.

*Clearance of workers.*—Dislocation of labor, relating to a contiguous district, is cared for by the ordinary processes of a bureau if properly located and managed. In our State we have offices in the cities of Paterson, Jersey City, Newark, Trenton, Camden, and Atlantic City, and one which has just been opened in Passaic. These are strengthened by the active support of the chambers of commerce in three of the cities, and by the employers' association in Jersey City. This has been in effect since 1920 and 1921, and is very valuable in making available job opportunities with a minimum of effort, and by removing the inevitable lack of trust and confidence where there is not complete understanding. This representation in each bureau is by one (or by more than one) paid employee of these cooperating organizations who puts in either full or part time in the work of the bureau. In nearly all of the bureaus, at least one of the assistants

on the State pay roll is a member of some union organization. The State, of course, is in full authority through the commissioner of labor, but this mutual representation of the employing and employed groups has allayed suspicion. The practical application of the joint counsel has carried the work through years of industrial vicissitude with no serious discords or mishaps. Our policy on jobs affected by labor disturbances is to accept any call for help and to acquaint all interested applicants with the exact conditions prevailing.

A feature very helpful in local placement is a bulletin mailed each two weeks to employers in which is listed outstanding applicants with a concise description and location of residence. Frequently several calls are received for one applicant, so that other applicants are placed thereby. We describe local labor market conditions and tendencies and give any appropriate suggestions.

*State clearance.*—We have learned that transferring workers over any distance, in this State at least, is seldom feasible or successful. The attachment to one locality has grown strong, probably as a result of greatly increased home ownership, in which we are most fortunate, and employment outside the home district rests almost entirely on the possibility of commuting. Improved transportation has widened labor markets 20 and even 30 miles. Of course, the factor of inertia is often present, shown by the disinclination of idle workers to accept jobs in distant districts unless the attractions are above par. Moving workers over any distance presents many pitfalls, and this work is closely supervised and handled only through the State central headquarters.

*Farm clearance.*—The chief activity in New Jersey in clearance of workers is in the farm division and is of great value to agriculture, which is important even in such an industrial State as ours. Farmers are isolated from labor markets and must depend either on the distrusted private agency or on the public employment service. Indeed, our State appropriation refers to a farm and general employment bureau. This farm division is headed by a practical farmer who has also had years of experience in employment work. His knowledge is made available to the general placement clerks in the form of brief questions and answers designed to determine a farm hand's knowledge before sending him miles at the expense of the farmer. In common with other sections, we find the supply of competent farm workers growing smaller and more difficult to locate and interest. During the last fiscal year, 2,647 orders were received and 1,952 men placed at work and their transportation arranged. Valuable cooperation is given by the county farm agents of the State department of agriculture. We find that more and more the all-round farm hand must possess experience in handling motorized equipment on the farms.

*Time saving.*—The application of the time-saving feature does not require the enforced and continued attendance in the bureau of the person looking for work. A more than usually detailed record is made of every applicant with any definite skill, and sufficient data are kept to enable an employer or our clerk to visualize the worker's possibilities from the card record. Men are thus free to follow any clue to a job outside. Public bureaus to-day handle only a fraction of all unemployment, and it is felt to be unfair to restrict a worker's

range of opportunity to that of one bureau, wider though that may be than in the practice of traveling from door to door, which it aims to obviate. When needed, and if not present, an applicant is sent for through any telephone he may have listed or by an arrangement with the police force by which headquarters will answer the duty call of a patrolman with the instruction to stop at John Smith's house, on his beat, and to tell him the employment bureau wants him. Of course, only sufficient workers are sent to match the order until the employer asks for more, and these references are followed by phone as quickly and frequently as possible. Sufficient sales approach is employed not to ask for a report on workers sent or for the return of our introductory card simply for purposes of our own reports. The employer is reminded that we send for applicants when needed, and that, if we are not informed that Tom Brown was employed where we sent him, we might happen to send him a message while he was actually working. Naturally no one wants a man disturbed on the job.

*Vocational guidance.*—Reducing occupational misfits is the biggest phase of the work and the least developed, being swamped in the bulk placement required of each placement clerk. But here the burden for retardation shifts somewhat. The original antipathy of plant employment managers has disappeared, and to-day they are responsible for much of the business given to the employment bureaus and are to be thanked for our increased opportunity to fit the round peg to the hole without the necessity of shaving off the peg or of plugging up the hole. But how about the many, many plants without a trained employment man? To try to secure sufficient facts to permit of sending anyone with a fair chance of being hired is like attempting to expound the Einstein theory. The boss usually instructs his stenographer to call up for a man, and since he has not studied the job as he would the needs of a broken machine and has failed to specify range of wages or age or nationality wanted or skill required the stenographer contributes about as much information as a Scotchman contributes money to the Louisiana lottery. There is then no job analysis to which to match the worker. There is a very sketchy appreciation that labor turnover exists everywhere and that it costs real money, which waste is largely avoidable, but little understanding that a labor reserve maintained by each plant contributes to national never-ceasing unemployment which cuts into markets of all manufacturers and merchants.

There is still a tremendous need for missionary work on these points, and while the facts may be trite to us they are not known to perhaps the majority of individual employers. Development of employment bureau effectiveness and plant efficiency as well is blocked by this situation. I am convinced that a very decided duty to the interests of members should impel employers' organizations to engage a qualified man to survey the requirements of the jobs on which turnover is especially heavy and to give instruction on turnover records.

I believe that the employment bureau should be so equipped that the superintendent could devote fully one-half his time to visits to employers. At present we manage four or five visits per office each week, but should do very much more. This work is essential to maintain our position gained in face of competition of hiring at the

gate and through private agencies, in the primary matter of having any jobs listed at all. The personal contact and salesmanship outweighs any other factor in getting business, just as in any other line.

There has to be overcome the contradiction, in times of labor surplus, which was expressed to me recently by the chief employment manager of one of our largest industries. He wanted some statistics of labor supply and demand to check against the falling turnover in his plants, and stated his belief that we would have them all tabulated for the reason, as he described it, that we would naturally need to show that our excuse for existence lay in our contribution to the workers in a slack labor market; and yet, when he was asked to file his orders with us and to give some preference to applicants sent by us, he answered that he could get all he wanted at the gate. He obtained his statistics and a repetition of the old object lesson that if not supported consistently the employment bureau would be of little assistance to the employer when he most needed workers to keep his jobs going, and that the bureau could best serve those employers with whose work it was most familiar.

Turnover records seem to be very scarce. A representative group of plant-employment men who wanted a talk on methods of selection, reported that only 20 per cent had such data. This bureau has a standing offer to give advice and information to any employer on the value and method of turnover records. In passing, I make mention of another service we offer employers in connection with our growing work of wage collection, and in this service lies the only possible good to the employment service which could come from this particular work; that is, information and advice affecting the law concerning the contract of employment, with its many applications.

To date, the burden of slow education rests still largely on the meager facilities of the employment bureau. Our attempts to fill a job at all or to fill it properly are blocked by the inability of many employers to appreciate that a worker hired in a close bargain with his necessity will represent a greater eventual cost than the fancied saving in the low wage with which he bid in the job. When a better job arises that worker soon quits and creates the expensive turnover as well as giving probably only a modicum of production while on the job. This is equally true if he has been hired without regard to his actually fitting the job, as is so lamentably still the case, despite our vaunted national efficiency. That this is not wholly an exaggerated picture is shown by the words of leaders of all divisions of society.

President Coolidge at the convention of the American Medical Association said: "We do not do as well as we know and much is still to be accomplished in the conservation of natural resources and in the elimination of waste and loss of energy in industry."

President Green, of the American Federation of Labor, refers to the growing acceptance of a new theory of wages "wherein they are determined by the productive ability of the worker in cooperation with scientific production management."

Mr. Gerard Swope, president of the General Electric Co., in "What Big Business Owes the Public," states: "I do not know of a more grievous problem of modern industry nor of one which we fail more signally in solving than the question of unemployment. The idea that men who are able, honest, and willing to work should find

it difficult, even when the community needs their services, to perform that service is one of the most tragic and one of the most severe indictments of our modern civilization. We have done but little in its solution. There have been unemployment conferences and many suggestions have been made, but it really takes a concerted effort on the part of industry as a whole, and on the part of the community as a whole, to deal effectively with this very serious matter."

The line of least resistance is followed by so many employers, especially the larger, that any physical imperfection or the fact of being of middle age immediately narrows the range of opportunity of the worker, not only to the kind of work suitable to him, but more so to the number of factories where he will be given any consideration at all. This is done in the name of group life insurance, but I do not know of any industry where this service has brought a sufficient reduction of turnover to compensate for the restricted labor market available to such an employer. Indeed, many of the jobs not on direct production offer insufficient attraction in the nature of things to hold the workers who are considered the cream of the market, and a disproportionate turnover follows. The age limits of 35 and 40 and the rigid physical requirements in many plants can, I feel, be waived with profit in many suitable individual cases so that jobs not actually requiring the full vigor and resiliency of perfect youth may be made available to many competent workers who are now being shoved into the discard.

*Physical handicaps.*—In the placement of the physical handicap sufficiently below normal to make his condition a real problem, the employment bureau brings valuable aid to the rehabilitation division by providing a reservoir of jobs for purposes of subsistence and for training. Placement of handicaps without this aid becomes unnecessarily expensive. But for the employment bureau to attempt it alone is almost fatal to its general success. Employers who come to an employment bureau want normal workers and are interested in speed and quantity of delivery. To fit the handicap and to secure him a chance is very specialized work requiring much social adjustment. Doctor McBride will undoubtedly describe to you the wonderful results of this new work under his direction in New Jersey.

*Casual workers.*—Casual workers, and floaters in general, men unable to keep steadily employed, represent another great waste and problem of turnover. There is a group distinct from that affected by seasonal change in business. Ineptness of industrial treatment is probably at fault equally with the workers' deficiencies. To attempt some correction we have long kept an accurate record of each job given each man; to this we have added a record of how long he remained at that employment. Where too great a job frequency occurs, that man is questioned closely for the reasons. In some of the cases so handled it was learned that the man possessed a rating of intelligence that equipped him for far better paid work than the laboring or casual type to which he had been restricted by reason of personality or lack of initiative. The number of cases where betterment has been accomplished only emphasizes the benefits possible from a wider application. A measure of correction is found in our rule that no married man is to receive more than one casual job in a month, if there is suitable steady work available. Much of the

casual labor is encouraged by the intermittent calls to load and unload material or to do small repairs in the factory. Many towns have a number of these men who will do no other work, so confirmed are they in the vice of two or three days of idleness each week. It is typical of the employment bureau that such matters are recognized, because brought to a head there, while they are not sufficiently appreciated by the plant to induce it to apply such a remedy as spreading the extra work over the regular force. Various instances have shown this to be practical.

Jobs for woman day workers are accepted as necessary in the face of the scarcity of steady domestic workers. This service stationed an interpreter at Ellis Island for several months to try to direct here domestics and farm hands but was unsuccessful in altering the destination of the few who came through that gateway. Day work and electrical devices, together with apartment and hotel living, appear to be to-day the answer to the domestic problem. Also, especially in the present period of few jobs for men, day work is the salvation of many families, as is testified to by the Red Cross, poor masters, and others. In one city we placed 300 and in another 500 woman day workers each week.

Vocational guidance and a proper selection of jobs for which the specifications are known is a big problem. It proceeds in rough fashion in every placement we assist in, due to a measure of practical psychology and a knowledge of general job requirements gained over a long experience. Many of our placement clerks have been with us for the nine years I have been connected with this work. Tests for trade knowledge are of great value but curiously are little understood and seldom used. We have used them in many cases with good results. We have tests for more than 100 trades designed to ascertain quickly the applicant with the most complete knowledge of his trade. General intelligence tests and tests for special abilities can be developed to great usefulness to industry. Increased earning power of the workers may well follow their use. From a preliminary investigation I believe they may be utilized to safeguard a worker from those occupations in which he may be disqualified to engage with safety to himself.

*Junior vocational guidance and placement.*—To give understanding and intelligent supervision of the choice of and introduction to the first job of a young wage earner is considered the most effective means of reducing occupational misfits. A junior placement and guidance bureau has been in operation in the Jersey City unit since January, 1922. In other bureaus juniors are handled in the clerical division with as much specialized attention as possible. As regards the question of whether the school should control the placement machinery, it is our belief that while the schools possess several years' intimate knowledge of the child this information is divided among many separate individuals who must pass it on to the one person who will advise as to the job. We feel that since this is so it can equally well be given to a placement bureau within the public office where the benefits of job knowledge and accessibility to work opportunities are admittedly greater than in the school.

Accordingly, our junior bureau is a part of the State office. Young people to the age of 21 are served by it whether from public or

parochial schools, or whether they have been employed several years. The adult bureau is a great aid when, by getting a job for an adult member of the child's family, it provides the social adjustment which we learn in many cases is needed to permit the child to remain at school. Too, the junior worker has confidence to turn to the adult bureau when later on he finds himself affected by industrial fluctuations.

The correlation of the schools is fully appreciated and is given in a whole-hearted manner. The plan of organization has the superintendent of schools acting as the superintendent of the junior bureau. A very competent representative of the school system, who acts in concert with two representatives of the State, is assigned to the bureau. All children who leave school to work are directed to the bureau for guidance and placement, and while many, of course, find work themselves, a check with the working certificates issued shows that the registration at the bureau closely follows the number leaving school to work. The placements which are made by the schools are usually the result of personal connections and are reported to our bureau so that a very complete school and job record is available for guidance on any replacement necessary.

Two nights each month have been devoted to evening consultations with parents of employed children, but only a small number appear willing to take advantage of this. In five years of school-attendance work I was impressed by the general lack of interest and sense of responsibility on the part of many parents. This, together with the early acquired taste for quick and easy money in the youth of to-day, makes the junior problem more one of leading than of guiding. Advice as to possibilities and requirements of various occupations is available through a large committee organized by the employers' association of members of Kiwanis, Lions, and Rotary. The junior bureau is apart from the adult bureau and has a separate entrance. It is close to the industrial and safety museum in the building, and the exhibits there are used for the instruction of the young prospective workers. The physicians of the rehabilitation clinic in the building are frequently called on for advice as to the physical condition of children in relation to the demand of various callings and the data of the bureau of sanitation and hygiene is especially helpful as to occupational hazards.

Any real guidance is, of course, an intricate and difficult matter with no standardization or formula. I consider that we are still very much feeling our way slowly and are hampered by bulk of work and the pressure of popular demand for volume of placements. Some cases described by the bureau include a girl who had been working in the five-and-ten-cent store. She was an orphan, had been through two years of high school, and was ambitious. She was placed as a student nurse. A medical student was placed during his vacation as first-aid man, combining necessary income with continued training. A young man, seriously crippled, was placed at a clerical position, but found difficulty in early morning travel. His musical accomplishments were realized on by replacement as piano player in a theater, where hours required for travel were more adapted to his condition.

The junior division in the last fiscal year placed 1,481 of a registration of 3,284. It succeeded in returning to school 600 boys and

445 girls. The placements of 1,481 were distributed among 1,333 persons showing a creditable success in the jobs entered on. More than one-half the applicants did not know what they wanted to do or were not prepared to enter the vocation they had chosen. The bureau reports having succeeded in changing the vocational choice of one-third of those who had any preference. Encouragement is found in the occupations covered by the placements, which included 106 apprentices, 99 bookkeepers, 108 stenographers, 8 draftsmen, 21 laboratory workers, 89 in machine trades, and only 26 as domestics.

The school system is preparing to appoint several counselors to work in conjunction with the vocational educational system and with the placement bureau, which we feel will provide a well-rounded service of which Jersey City may well feel proud.

*Unemployment.*—Data on unemployment has again become of some general interest as the result of conditions prevailing since November, 1926. During these months the hiring of new help has fallen off sharply, although shutdowns or heavy lay-offs have been absent. The effect has been cumulative, and with the retardation of building construction a sizable situation exists. To inquirers there is available the month-to-month comparison of number on pay rolls reported by the bureau of statistics in Trenton. The employment division expresses it by a ratio of number of applicants against number of help wanted or of placements. It also gives a contrast of each month with conditions one year previous, which shows that the men's division had a loss in placements of 47 per cent in February, 17.6 per cent in March, and 26 per cent in May. To compensate this, the women's division remains equal to last year and sometimes has shown a rise.

Remedies for seasonal fluctuations were suggested 18 months ago to our largest contractors' association with a view of obtaining, first, a survey of the effects from builders, loan associations, and others. The ultimate purpose of emulating the reported plan and benefits of the similar program in Boston was found to be largely operative here in the application of methods of construction, which permitted continuous work through the cold months. Last winter and that of 1925 showed a heavier employment in the building trades here than perhaps ever before. A readjustment in the type of construction demanded appears now to be the cause of a slight hesitation in stride.

The unemployment situation in Passaic, where the textile mills are affected by conditions general to the woolen industry, has been recently the cause for the establishment by the city of an employment bureau which it is hoped will be made a permanent one. A tentative budget of \$2,000 has been adopted. The demand was headed by organized labor, just as it has always been a consistent supporter of the principle of public employment bureaus. Formerly all employment in the mills passed through the employment exchange operated jointly by the textile industry. This has been abandoned. There now exists a wonderful field for the application of the idea of public employment work to conserve the human energy of the district through an untrammelled exchange, spreading its benefits to all the varied industries found in this section. The success of the bureau in Paterson, similar to Passaic as a district with one industry largely predominating, gives strength to the belief of

success in Passaic. The widely heralded controversy in Passaic appears completely ended. The freedom of opportunity through the public bureau is counted on greatly to facilitate continued harmonious relations. Of interest is our experience in Passaic that textile workers of 12 to 15 and 18 years' service in one mill feel they are fitted only for textile work and are not receptive to proposals to accept work with which they are not familiar. Common labor jobs, which are of course fairly heavy, are not welcomed by many of these people even though they report having had no steady work for 12 and 18 months. They have even turned down jobs otherwise suitable because of the offer of, perhaps, 40 cents per hour for labor work, which is not far from standard for this type of work. Recommendations that there be adopted a staggered plan of employment so that available work in the mills would be spread among as many people as possible have not made much headway. The mills fear that such a step would put them before the country in the position, of which they insist they have been falsely accused, of permitting only low earnings on their work.

*Plan of organization.*—In Passaic the bureau is affiliated with the State and the Federal department, and is known as the Federal-State Municipal Employment Bureau as are all of our bureaus. A committee headed by the secretary of the chamber of commerce is in charge locally. The State system is headed by our commissioner of labor, who is also Federal director. This centralized control follows the original plan drafted in 1915 with Commissioner General Caminetti of the Immigration Department, at which time the Newark and the Jersey City offices were the nucleus of our present system, which has functioned harmoniously with the officials of the United States Employment Service.

The earliest beginnings of this work in New Jersey started with the Newark bureau, which was created as a municipal office in 1909. It is now our largest, having 14 employees and placing 53,200 persons annually, ranking with the bureaus in some of the largest cities of the country. The cost of placements throughout the State averages 66 cents. The placements are almost evenly divided between men and women, and the average of all offices of skilled persons placed by the men's division is 41 per cent.

The placements accomplished by our six bureaus are about two and one-half times greater than those made by the 140 private agencies which are licensed. The latter make especial efforts to corral office and clerical business and spend \$500 for paid advertising where we spend \$10. Any public bureau needs to seek to serve as much of this specialized field as possible in order to render the complete service to the employer necessary to secure any of his support. In line with this idea we have striven hard enough to fill one job at \$10,000 per year with a salesman who had never heard of the company or article involved before we introduced him thereto. However, such a high standard of achievement occurs all too seldom for the advertising value we so much require.

Referring to the problem of unemployment, as early as 1909 the British Royal Commission on the Poor Laws reported "that, in our judgment, it is now administratively possible, if it is sincerely wished to do so, to remedy most of the evils of unemployment. The prob-

lem is solvable theoretically at once and practically as soon as we care to solve it." It is said that in a democracy evolution operates especially slowly. Therein may lie the reason for the present failure to mitigate the waste of unemployment generally. To assign the same cause for the lack of utilization of public employment bureau possibilities is to admit that the first step has not been completed. I think rather that we should all bend ourselves afresh to the task of developing the employment service as a handmaiden to industry that will permit our industries to keep their place in competition with the rest of the world and will preserve the foundation of our prosperity and well-being.

The CHAIRMAN. Mr. Wharton, of Virginia, has kindly consented to lead us in discussion.

### DISCUSSION

Mr. WHARTON. In listening to the paper by Mr. Eldridge, I find that the problems that we have in the State of Virginia, especially in Richmond, are similar to his. I expect that is true throughout the eastern section of this country.

I could not help but be somewhat amused, although I am ashamed to make the admission, that the folk in New Jersey seem to think it pretty bad that the State allots only \$30,000 a year for their employment work. The State of Virginia allots \$2,500; the bulk of the expense is paid by the municipal governments. It cost the city of Richmond \$7,800 to operate the bureau last year. That, of course, includes everything. We made 9,642 placements. I am merely curious to know whether that compares favorably with the per capita cost of placing a man in the New Jersey department.

Mr. HALL. I would like to ask a question or have some discussion of the suggestion of the gentleman from Michigan relative to charging a fee for public employment service. It is a novel experience, and to my mind is rather a throwback on public employment, as I understand it. I would like to have some of the delegates present discuss that particular phase of employment service. I do not believe that the spirit of public employment service is to charge a fee for obtaining a job. A man out of a job, it seems to me, is most in need of the money that he has to spend for obtaining the job. As I understand it, the object of the employment service is to get the man a job without cost to him who can least afford to pay for it. If the State is going to charge a fee to a man for obtaining a job, the public employment service might just as well go out of business, because they are going into the same business as the private employment agencies. I know that the dollar fee helps to pay the expense of operation. As I understand it, the function of the State is to render service, and that is my conception of the public employment service.

Mr. ELDRIDGE. I most fully agree with you, Mr. Hall, that the question has long since been settled in the negative as to any charges. I am wondering if you gained the impression from what I said that New Jersey makes a charge?

Mr. BROCK. Perhaps I did not make myself very clear because of the limited time that the chairman imposed on us in the early morning session. In the first place, I want to say that the whole proposi-

tion is an experiment. We are not sure how it will work out. The proposal was based purely upon the basis of conditions in Michigan.

In going over the public employment bureaus, of which there are 13 in the State of Michigan, at the time I took charge of the department of labor, I found that most of these bureaus were inefficient both as to personnel and service. Ninety-nine per cent of the placements were just unskilled day labor, male as well as female.

As a matter of fact, in the Detroit office, which has been maintained for years (Detroit is one of the largest industrial centers in the country), they have never placed a skilled man in any job. The attitude of the personnel in charge of it was that people who applied for work were bums. That was largely the situation elsewhere. The positions paid about \$1,200 a year from the State, and the type of people that we had in there were quite well qualified for jobs as night watchmen or gate tenders but not for public employment service work.

We have another difficulty in Michigan, and that is the restricted budget for this particular line of work. Our legislature is composed of 65 or 70 per cent of farmers who have no conception of industrial or social problems. And so, in looking over the situation, it seemed to me a hopeless proposition to try to make this thing function. It was either a question of entirely abolishing it or taking some other steps in order to raise funds to operate this thing on a more efficient basis.

I drafted a bill which would permit the commission to charge no more than \$1 as a registration fee, and would entitle the applicant to the services of any bureau operated by the State for the period of one year. That dollar fee does not mean that a person pays the fee every time he gets a job.

We intend to experiment with it first of all in Detroit, where we believe will be found the most fruitful field in which that sort of an experiment can be tested out as to its validity and success. In the city of Detroit we have in the neighborhood of 55 or 60 private employment agencies who charge from \$5 to \$10 to \$15 and even \$25 for a job. During the past year they collected in the neighborhood of \$1,000,000 from people seeking employment. It seemed to me that if there were thousands and thousands of wage earners who were willing to pay \$10 to \$15 and \$20 for a job it would be no great imposition if we asked them to pay \$1 for the services of the bureau for a year. By doing that we are going to receive some revenue with which to enlarge the capacity of the employment service and to improve its personnel by being able to pay better wages, because the bill provided that all money received shall go back into the public employment service of the department. In other words it is a proposition of putting the money back into the business, so that we can pay \$2,500 or \$3,000 for a trained employment superintendent.

I do not know how successful this is going to be. It may be an utter failure. On the other hand it may be successful. I am not particularly wedded to any condition, and I believe the test of any proposition is "will it work"; we are simply making an experiment.

The principal objection that was raised was, "What are you going to do if a man or woman comes into your employment bureau and seeks a position and has no money?" In a case of that kind, we are

just going to do as we have always done. If a person applies for a position and has no money, we are going to send him out to a job, and are going to trust to his honor that he will come back after he has earned some wages to pay the dollar that will pay for his registration for the year.

I have gone into details to make it clear that it is not an attempt to make a profit out of this particular service. We are proceeding on the theory that by charging a nominal fee we are going to elevate the standard of this particular branch of the service, and perhaps (and I say it shamefacedly) in Michigan the public employment service had a lower standard than in any other State.

By doing that we are going to attract other than merely day workers; we are going to attract semiprofessional, clerical, and perhaps even technical workers who, up to now, have never patronized the public employment service offices. On the other hand, it will enable us to hire better trained people to administer these various offices and will give us sufficient funds with which to send out people to solicit business. Even with the limited appropriation we sent out one man in Detroit for three months to visit the various plants. As a result of that effort we have received pledges from some of the largest employers of labor to patronize the bureau.

In addition to that, we are doing one other thing. We are going into each of the towns where we have these public employment bureaus and persuading a representative manufacturer, a representative merchant, a representative woman from the women's organizations, a representative man from the labor organizations, and perhaps a representative minister or professional man to form a local voluntary commission on public employment. These people, who, being representatives in their various walks of life, have contacts with their particular groups and can exercise a little more influence than the average man, will constitute themselves as a sort of a board of directors to exercise supervision over the local public employment service.

We are going to try out this \$1 registration fee plan first of all in Detroit. If it works there, we are going to apply it to other industrial centers, to the larger ones first and next in the order of their importance until we cover the State. If it is not successful, we can abandon it and go back to the old method, or the present method of free service to the employees.

Mr. STEWART. I drafted the bill to establish the first free employment offices in the State of Illinois and got it through the Illinois Legislature. Ohio had four municipal offices at the time. With Mr. Hall and Mr. Eldridge, I admit that Michigan's proposal this morning sent a cold chill up my spine; I did not like it. The more I think of it, the less I know about it.

There is one thing we do know, and that is the public employment offices have always been swamped by the unemployable. The greatest fault that has ever been found with them is that they send out people who are no good and the employers can not depend upon getting dependable people through them.

There are various grades of people among the employable class. There is the fellow who does not want a permanent job; he wants to get a job long enough to get some money to get somewhere else,

but he is a good worker. The old tramp printer was a good printer as a rule. On the other hand, there is a certain percentage, and it is increasing unfortunately, of absolutely unemployable people; they can not hold a job at anything. They are the fellows who hang around the employment offices and just want to be sent out because it gives them a chance to get a street-car ride. It is practically the same crowd that used to be handled through outdoor relief, and that is the place for them. If there is any way to separate the employables, all the gradations of employables, from the unemployables, then that is a good thing. If this dollar fee will segregate the unemployable crowd, if it will select men who are interested enough to get work, I am not sure but what it is a start to solve another problem that it did not start out to solve.

Michigan is trying to get some money. I don't believe in getting money that way. But if it will work this other result, and I am not sure but what it will, we will all know the way to shut out from the employment bureaus this unemployable class.

Mr. HALL. I did not mean to criticize Michigan's experiment as such. From a public employment viewpoint and from a labor viewpoint, I seriously question the experiment. Of course, the best way to segregate the unemployable from those who will be employed is experience. The dollar which the employment office will charge will soon segregate the sheep from the goats. It is a question in my mind as to whether if the State starts to charge a fee or the municipality starts to charge a fee, it will not destroy the very aims and object of the public employment service, because if they get results from the dollar fee what is to deter them from charging a \$2 fee, and so on. If it becomes profitable, you will find that the legislature will soon change the law if it brings money into the State treasury.

I think that it is a question which should be given serious consideration as to whether we should start something contrary to all experiences of employment service during all this time. It strikes me that the trouble with Michigan is the personnel and not the service itself. If they had the right vision of employment service, it would not be a place for vagabonds and tramps to congregate. I think that the educational idea is an excellent one, to get the cooperation of the various groups and to educate them, but you have got to sell your employment managers in order to raise the standard.

Mr. DAVIE. I agree heartily with the commissioner from Virginia, not that I wish to oppose or criticize the great State of Michigan. I do not believe in charging any kind of a fee for this service that we have worked for for years. I think that studies should be made of the personnel in the offices in Michigan, and I think they should be replaced by men that give an honest-to-goodness employment service.

I know it has been our experience in New Hampshire that we do have a few hangers-on, but, as Brother Hall said very clearly, we know who they are. I think we have that type of people in every employment office. It does not take the staff very long to get on to those particular individuals. I feel that this is an experiment that should not be made. I do agree with the brother from Michigan that the choosing of the various committees that he has suggested in the various towns and cities throughout the State will be a great

moral help in employment service work. But, beyond all, you must have men and women in those offices who give an honest-to-goodness service to the State for the compensation they receive from the State, the same as they would from any private employer.

Mr. PLANT. This discussion just recalls to my mind the agitation which went on for years and years before there were any free employment offices, any State employment offices. I remember the resolutions and the addresses which were made from time to time at various labor conventions in favor of these employment offices being under State control in order to avoid this exploitation that we have heard so much about. I would like to ask Mr. Brock if the Detroit Federation of Labor has raised any objection to the bill which has been adopted by the State legislature?

Mr. BROCK. I don't know what the attitude of the Detroit Federation of Labor is. I didn't consult them. I worked in cooperation with the officers of the Michigan Federation of Labor, and they are fully aware of the bill. As a matter of fact, the labor committee in the house—it was a house bill—is headed by a member of the electrical workers' union. The president of the Michigan Federation of Labor is a member of the legislature and a member of the labor committee that reported it out.

I will just say one additional word. I am fully aware of the theory of the public employment service. I know its origin; I know the agitation that brought it into being. I am familiar with the attitude of organized labor, having been a member of organized labor myself for some 13 or 14 years, since I served my apprenticeship as a mechanic. I didn't merely go off on a tangent that looked all right on the surface or merely a superficial attempt; I have given it some study. I am convinced that this experiment is worth while, and by charging the dollar we will improve the service to such an extent that it will put the private employment bureaus out of business much quicker than all of the regulatory laws that may be enacted from time to time. Just as Commissioner Stewart said, the industrial undesirables are the people that flood the public employment service offices everywhere. While in certain places by unusual effort you have been able to place other than these undesirables, the fact remains that it is generally true that you get the people who are unemployable or very hard to employ and hardly any gain has been made in the placing in positions of people in the mechanical and the clerical lines. If this thing proves successful we shall be able to provide a service that will be equal, if not superior, to that of the private employment agencies. We are looking at facts as they exist, not as they existed. At the next convention we shall be able to come back either in a boastful mood or in a penitent mood.

Mr. ELDRIDGE. It has been my experience that the poorer the workman is in the sense of skill and dependability and reliability the more he can talk his own interests. I don't see how we can discriminate from the worth-while and the comparatively not worth-while applicant if each pays, because then they both stand on the same basis and have a greater claim on us as a public bureau.

Miss JOHNSON. We are trying in Massachusetts, with regard to getting more skilled workers to apply to the public employment service offices, the proposition of classifying the service. We have now four offices in the State—three general offices, and the fourth a mercantile branch which is intended to attract the clerical and mercantile workers and to serve the employers who want the more skilled workers.

I haven't in mind the proportion placed, but it has been successful in bringing a much larger number of competent persons to the employment service offices. The figures with regard to the salaries at which the candidates are placed compare very well with the salaries in the better type of private agencies. The positions filled through that office are general clerical positions, bookkeepers, stenographers, and cashiers.

The CHAIRMAN. I understand that Mr. Spitz is in the audience, and we would be glad if he would come forward and give us a few words.

Mr. SPITZ. I am very sorry that Doctor Faries isn't here, because he is probably one of the most interesting speakers on the question of rehabilitation of the physically handicapped that we have in this country. Doctor Faries was active in Red Cross work during the war. He operates the Institute for Crippled and Disabled Men in New York. They have a wonderful institution. New Jersey cooperates with them very closely.

The question of rehabilitation is very closely allied to that of public employment service work. I was rather pleased to hear the remarks of my colleague, Mr. Eldridge, when he said that public employment service is not in a position to accept the physically handicapped.

The problem of the handicapped is rather acute. We have figures—recent figures—from Germany gathered during the last month in a census and survey of their physically handicapped, which show that approximately 1 per cent of their inhabitants is in a handicapped condition. It may be that that vast number is due to the war.

There is being enforced by the Federal Government in Washington an act that provides cooperation with the various States. There are at the present time 39 States in the Union that have rehabilitation laws. They are very much more favored by the Federal Government than is your employment service work, which, in a measure, is analogous. It is my understanding that approximately \$250,000, if I have my figures correctly, is the annual appropriation for employment. Congress appropriated for rehabilitation in cooperation with the various States \$1,000,000.

To my mind, as service is rendered, the amount is very disproportionate. In other words, if you are going to serve the physically handicapped from the appropriation of \$1,000,000 and give to the employable persons \$250,000, there does not seem to be great discretion used in that appropriation.

I was formerly in employment-service work. I was there during the strenuous days of the war period, when the Federal Congress appropriated \$70,000,000, which is vastly different from that which they give at this time.

I am a firm believer in the cooperation of the Federal Government with the States, both in employment service and in rehabilitation, because of the situation that prevails affecting unemployment in the communities throughout the States.

We have very acute problems in our division. We are rather uniquely constituted in the State of New Jersey, and do the work in a way that is different from that of the other 38 cooperating States.

During the war period, in 1917, there was organized three divisions in this State. We took care of the disabled men. We spent hundreds of millions of dollars. Later, this work was turned over to the United States Veterans' Bureau, where it is at the present time. As a result of that lesson, the various States have gone into the problem of rehabilitating the physically handicapped. We had our law in 1919 and the Government adopted its rehabilitation law in 1920.

In practically all of the States except New Jersey they follow the lines of the Veterans' Bureau or the Government program in rehabilitating disabled service men and make the problem educational rather than vocational. I am rather glad of the opportunity to talk to the representatives of the departments of labor of the various States that are assembled here, because in New Jersey we have felt that the problem was to the greatest extent industrial rather than educational or vocational. We have a unique and peculiar method here.

Eighty per cent of our cases are from those injured in industry, because of the cooperation that we have with the workmen's compensation bureau—we are all tied up in a knot in New Jersey; we are all practically one unit. The bureau of hygiene and sanitation is as much rehabilitation as the rehabilitation bureau.

If we have a man who has a torn hand as the result of an industrial accident, and he comes to us in that shape, we regard it as absolutely essential that that man receive as much functional restoration as possible. We don't have to go out and beg medical advice. We have our own physicians; it is part of the division, and there is where we differ from the other States.

On the other hand, most of the other States of the Union still regard it as an educational problem, and they will take that man and reeducate him. The medical situation is very keen with us. In fact, as I recollect our figures, we gave last year something like 138,000 treatments to about 12,000 injured workers in this State.

We have a line of demarcation between the medical division and the vocational division. It is rather unfortunate for the workers of the Nation that the rehabilitation law has been placed on the statute books as an educational problem rather than one of industry.

In New Jersey we have a department of institution and agency; we have the State department, which takes in all the agencies, workhouses, blind institutions, etc.; and we have the department of education, which is self-explanatory; and we have the department of labor. Now, the three commissioners of those respective departments are ex officio members of the rehabilitation commission, and the governor appoints five laymen as rehabilitation commissioners. One of our commissioners is a very famous surgeon, Professor Albee, of New York, who represents the general public. He lives in this State, but works in New York. He is chairman of our commission,

representing the general public. We have a gentleman by the name of Campbell, who represents the employers of the State. We have a representative of labor, a man named Hollenden. Those three are the active members of the commission. They meet, and, according to past precedent, establish the commissioner of labor—that is the point I want you to get—as the director of the rehabilitation division. You will find, as you look around in your home States, that your department of education is controlling something that is possibly 80 per cent an industrial problem.

That, in general, is a brief outline of our work. I could tell you of some of the cases, but you will probably see some of the cases tomorrow in Jersey City. We have a number of very, very difficult problems. Doctor McBride takes a keen interest in this work because of his medical association of many years. Through his cooperation we have been able to solve very many intricate problems.

[Meeting adjourned.]

**WEDNESDAY, JUNE 1—EVENING SESSION**

**JOHN P. MEADE, DIRECTOR DIVISION OF INDUSTRIAL SAFETY, MASSACHUSETTS,  
PRESIDING**

**INSPECTION AND SAFETY**

The CHAIRMAN. We are all agreed upon one fundamental fact—that the enactment of labor legislation is essentially for the purpose of protecting the human side of industry. The application of that principle can be made to almost every statute that we have in this country to-day which deals with the regulation of labor matters. There are new processes, new machinery, new inventions entering into industry every day, bringing in their train new hazards and new dangers to vitality and health. The great function of labor departments is to keep abreast of these developments, to watch them carefully and vigilantly, and to protect those who are so much dependent upon the work of labor organizations for their well-being.

We are very fortunate in having as exponents of that doctrine this evening two very able men representing progressive States, States with a long record of faithful service in the administration of labor laws, and especially well equipped to touch upon those matters that bring us together here to-night.

I have great pleasure to introduce to you as the first speaker the Hon. James A. Hamilton, of the great Empire State, who, I am sure, will bring a message to you that will be well worth while.

**NONMACHINERY ACCIDENTS**

**BY JAMES A. HAMILTON, INDUSTRIAL COMMISSIONER NEW YORK DEPARTMENT OF  
LABOR**

It is a happy augury that, instead of the single topic of accident prevention, the field has been divided into two subjects and so may be considered in greater detail. It is a recognition of the fact that accidents occur in different ways and have different causes. I am to discuss nonmachinery accidents. "Divide and conquer" is an ancient military maxim, and I am glad of the opportunity to bring out the difference between these two great groups of accident causes and to emphasize the importance of nonmachinery accidents as contrasted with machinery accidents.

By way of stating the problem, I can do no better than to cite some figures from New York State accident experience. All of those cited are, or shortly will be, a matter of public record through publications of the New York State Department of Labor. Unfortunately, lack of funds available for printing purposes has prevented complete publication of our latest figures. However, the summarized results which follow are, I think, sufficient to convince even the most skeptical that in the field of accident prevention as a whole more remains

to be accomplished in reduction of nonmachinery accidents than in those caused by machinery.

To furnish a clean-cut picture of the relative importance of accidents caused by machinery as opposed to nonmachinery accidents, consider for a moment the subjoined figures. In order to avoid any possible argument that the picture as presented is overdrawn as to the hazards of nonmachinery accidents, let me say that accidents caused by "elevators, hoists, and conveyors" are included among machinery accidents in these figures. Often these latter are not classified as "machinery" accidents and their inclusion here only makes the testimony as to the hazards of "nonmachinery" accidents the more damning.

Year ending June 30—	Per cent of closed cases		Per cent of weeks awarded		Per cent of com- pensation awarded	
	Machin- ery accidents	Non- machin- ery accidents	Machin- ery accidents	Non- machin- ery accidents	Machin- ery accidents	Non- machin- ery accidents
1924.....	19	81	22	78	25	75
1925.....	17	83	20	80	21	79
1926.....	16	84	20	80	22	78

The above figures relate to "closed" cases under the New York workmen's compensation law and include nearly a quarter of a million cases (248,872). It will be seen from the foregoing that in 1924 nonmachinery compensation cases closed were four and one-quarter times as numerous as machinery cases; that the number of weeks for which compensation awards were made was three and one-half times as great, and that the amount of compensation awards, measured in dollars, was three times as large. The figures for this one year, then, show convincingly that the largest and most fruitful field for accident reduction lies in nonmachinery rather than in machinery accidents. But the figures for the two years immediately following not only confirm those for the year 1924 but indicate that the tendency of nonmachinery accidents is to increase, both in number and severity, as compared with machinery accidents.

The per cent of machinery cases dropped from 19, as first quoted, in 1924 to 17 in 1925 and to 16 in 1926, while during the same period the per cent of nonmachinery accidents increased from 81 in 1924 to 83 in 1925 and to 84 in 1926. The proportion of nonmachinery to machinery accidents rose from four and one-quarter in 1924 to four and three-quarters in 1925 and to five and one-quarter in 1926.

The number of weeks for which compensation was awarded in these cases shows the same tendency. For nonmachinery accidents the proportion was three and one-half times as great in 1924 as for machinery accidents and four times as great in each of the two succeeding years. The compensation payments for nonmachinery accidents constituted 75 per cent of the total awards made in 1924, or three times as great as those for machinery accidents. In 1925 this percentage had grown to 79, or three and three-quarters times that for machinery cases, and in 1926 the percentage was 78, or three and one-half times as great. It will be noted that for number of weeks

awarded the percentage remained stationary in 1926 as compared with 1925 and decreased slightly as regards amount of compensation awarded. But the fact still remains that in each of the three items here considered, namely, number of cases, number of weeks for which compensation was awarded, and number of dollars awarded, 1926 showed an increase in hazard due to nonmachinery accidents as compared with the year 1924.

It being clear from the above figures that it is the field of non-machinery accidents which needs most careful attention, let us analyze this field to discover, if possible, what are the chief danger spots. I do not wish to weary you with statistics, but a few statistical items on this point are highly pertinent. For the year ending June 30, 1926, the largest single cause of accidents, based upon the 99,673 cases closed in New York, was the "handling of objects" by hand. Not only was this cause the most prominent in all industries taken together but it ranked first as to number of cases in manufacturing, in construction, in trade, and in mining and quarrying. Moreover, it stood second in the transportation and public utilities group and in the clerical and personal service group. This cause comprised more than one-fourth of all compensated accidents. "Handling of objects" includes items such as objects dropped by the injured man or his fellow worker, being caught between objects, injuries due to something falling from a load or pile, strain in handling, and injuries from sharp or rough objects.

Next in importance, measured by number of cases, comes "falls of persons." This cause in the year ending June 30, 1926, ranked second in all industries taken together and second also in construction and in trade. It ranked first in the service group of industries and third in manufacturing, in transportation and public utilities, and in mining and quarrying.

In these two last-named cause groups, "handling of objects" and "falls of persons," it is obvious that the personal conduct of the worker while engaged at his task is a factor of the utmost importance. And, in large measure, this is true of other cause groups as well. The way the worker handles himself, his tools, and other equipment, are highly important. The best-planned plant may see its safety record sadly marred if the worker himself does not lend his active cooperation in the matter of accident prevention. Arguing from this undoubted fact, there are sometimes heard voices which practically absolve the employer from responsibility for accidents. The really noteworthy achievements, which may be pointed to with just pride, in the field of mechanical safeguards, should not blind us to the fact that the employer has large responsibility even in the field of nonmachinery accidents. After all, it is the employer who chooses the employees, who sets them at their tasks, and furnishes them with the tools, materials, and equipment for their work. He, so to speak, determines the rhythm of the plant, and employees are quick to sense the fact if speed of production is given the right of way over safety. The employee has ever in mind chiefly the necessity of holding his job. He uses the equipment furnished him and does his work in the manner which he, sometimes mistakenly, thinks will best enable him to hold his job. The employer should feel the necessity of imbuing the worker with the idea that the safety idea is genuine on the em-

ployer's part, not secondary but primary. There is a natural sympathy felt with an employer who really has safety at heart when he finds his employees disregarding the rules laid down for safe practices. But it is a question whether the demand sometimes made that workers should be penalized for such conduct is wise. Occasionally it may be. But, on the whole, cooperation is better than compulsion in this matter.

The truth is that both employers and employees are under a moral obligation which neither can escape. The employer should furnish a safe place to work and safe tools to work with. The employee should make proper use of these, both for his own protection and for that of his fellow worker. The employee should not get the impression that safety education and safe practices are urged by the employer as being merely more economical than expenditures for guards and other proper equipment. When employees seem to be deliberately disregarding the rules of safety and failing to use the guards provided it should occasion an investigation for the reasons. Perhaps the employee feels that production will be slowed and that he will suffer as a result. Here is where the genuineness of the employer's attitude toward safety will be tested. If after investigation it is seen that it is a case of speeding production as compared with safety of operation, and the employer decides for safety rather than production, convincing proof is given the worker that safety is the primary consideration.

The CHAIRMAN. I have great pleasure in introducing one whom I have known for many years before he became actively identified with this great work. He is going to talk on "Labor laws as a means of preventing diseases of occupation." I now present to you the deputy commissioner of the Department of Labor of New Jersey, Mr. John Roach.

#### LABOR LAWS AS A MEANS OF PREVENTING DISEASES OF OCCUPATION

BY JOHN ROACH, DEPUTY COMMISSIONER OF LABOR NEW JERSEY DEPARTMENT OF LABOR

It has been asserted by many writers on industrial economics that a very large percentage of the ill health that is suffered by persons employed in manufacturing operations is occasioned by improper working conditions, exposures to poisonous trade substances, devitalizing fatigue, or sustained effort beyond the strength and resistive force of the individual. If to this we add the handicap that comes from improper lighting, dreary and cheerless working surroundings, and the tiresome and nerve-draining effect that many monotonous machine operations have on the individual we shall probably cover many of the causes that are said to send 4,000,000 people through our hospitals annually. I am not assuming for the purpose of this discussion that all sick people find hospital service available, take advantage of opportunities for hospital service, or that they in any degree add to the measurable illness that it has been calculated is suffered by the American people, for no one has found it possible to calibrate the effect of occupation with sufficient accuracy as to establish reasonably definite conclusions on how much sickness may be directly traceable to working habits. Enough has been shown, however, to create a strong

suspicion that health conditions improve when working surroundings are pleasant, supervision intelligent, and machine operations made as interesting as the nature of the work will permit. When, in addition to this, industry operates carefully, poisonous trade substances are handled by trained men, dusts, gases, and fumes are collected at their points of origin, and workmen in general are given health protection, undeniable evidence has been adduced to show that this solemn appreciation of the responsibility the employer owes to his employee has a most favorable effect on the health of the working groups.

Until very recently but little attention was given to the proper sanitation and ventilation of workshops. In New Jersey, in 1911, a law was passed that gave the commissioner of labor authority to order the installation of exhaust fans in places where dusts, fumes, or gases endangered the health of workmen. Owing to the extremely liberal construction that was placed on the meaning of this statute and the acceptance of this interpretation by industry almost all the health work that has been performed in the interests of labor has been brought to a satisfactory consummation by reason of this act.

For a great many years attempts were made to extend the operation of the workmen's compensation laws to include industrial injuries suffered by the worker, which, of course, would enable persons suffering from occupational diseases to claim compensation under the provisions of the general act. Owing to a lack of statistical information on this subject and a strong reluctance on the part of the employer to assume this new burden it was not possible to provide legislation with such broad jurisdictional limits, but after a thorough investigation of the subject by a commission appointed by the governor an occupational-disease law covering a specific group of occupational causes was passed. This occupational group covers nearly all, if not all, the substances that by reason of their cumulative effects could be classed as causing occupational diseases.

Manifestly, under our act if a workman enters a nitrating vessel in which benzol has been used, is overcome by the vapors, and dies from the exposure, the incident is classified as an industrial accident and not an industrial disease; while if the workman suffers an exposure to benzol vapors from day to day and the cumulative effect of the poison causes serious sickness or death, then the cause of the physical trouble may be attributed to an occupational poisoning.

While I have no great confidence in the value of remedial legislation affecting working conditions, except in cases where the sentiment of the community strongly supports the theory on which the legislation is based, I realize that unless certain definite statements of a legal fact are set forth it would not be possible to establish minimum standards of safety in industry. When laws are passed and they represent the will of the community, safeguard the best interests of the people, and definitely establish the legal rights and set forth the legal responsibilities of citizens, a step forward has been taken in the work of promoting a proper state of social intercourse between men. The establishment of workmen's compensation was a distinct step forward in the unyielding demand that had been made by labor unions for many years for a greater measure of protection in industry. Leaders of social thought were of the opinion that they

were doing a great work in providing compensation for men who were injured by accident. Many times they were tempted to exaggerate the social value of large sums that were expended in settlements for occupational injuries. In my judgment, the preventive effects that resulted from the passage of these laws were incomparably more important than were the attempts made to compensate in a pitifully inadequate manner the loss of functional physical power suffered by an injured man.

There never was anything really difficult about the settlement of compensation claims, for the injuries that command legal attention are specifically set forth, while a train of judicial decisions covering disputed points illuminate the way to be traveled by the litigant. I think perhaps the greatest value that has resulted from the passage of the occupational-disease legislation has been its preventive influence that silently but surely inclines industry and industrial management to give greater consideration to health risks, especially where poisonous trade compounds are used. I am not one of those who believe that even in the pioneer days of industry plant managers were insensible to the promptings of mercy and consideration felt by the average man to such an extent that they willfully exposed workmen to poisonous trade conditions, but the facts were that statistics had not been collected to show the evil effects of improper sanitation and careless trade practices, and therefore plant managers were not aware of the dreadful physical toll that was being collected yearly.

When laws were first passed requiring buffing and polishing wheels to be provided with mechanical exhaust equipment for dust removal this kind of work was usually carried on in cellars and dark, remote workrooms, quite away from the vision of the other factory workers. The work was dirty, and it was thought, according to the trade notions of the day, that the operations should be carried on in dark places. With the installation of better exhaust equipment the practice arose of putting these dusty operations in well-lighted workrooms, providing apparatus that would keep the workrooms clean, thus conserving the health and comfort of the workmen, helping immeasurably to produce a better product, and adding greatly to the amount of comfort that might be enjoyed by workmen. Definite health statistics that were collected showed that these changed conditions had an important bearing on the workmen's health, while the employers, once they had solved the engineering problem of controlling the dust, felt proud of their achievement, and, to my knowledge, I never heard one employer express regret for an expenditure he had made for the installation of dust-removal equipment. The same thing has been true largely in the improved working conditions that are to-day observed in the dangerous trades where dangerous chemical compounds are used. Health statistics have proven that careless operating practices bring physical disaster, while careful operating methods attract a better class of men to seek employment in an industry, make them more contented in their work, and at the same time reduce the compensation claims that otherwise might accrue from poisonings and ill health.

I am of the opinion that the widest publicity should be given to occupational ill health caused by working conditions and that every effort should be made by an enforcement body to standardize safe

processing methods and to disseminate this information in industry to the widest possible extent. This kind of effort will redound more to the credit of a community than will that of merely fixing compensation benefits and publishing lengthy annual reports to show the magnificent achievements that result from poisoning large groups and then making an attempt to compensate them for the physical losses they have suffered. The "stitch in time" might be given thoughtful consideration at this moment, for the range of disaster in the occupational disease field, like that occasioned by the tremendous flood that has devastated the Mississippi Valley, can not be circumscribed by the allotment of a dole, a grant, a pension, or any other form of State aid conceived by the mind of man and that is intended to take the place of prevention work. Great floods can be prevented by the application of sound engineering principles, losses can be avoided and property saved from destruction, while ill health that results from occupational exposures and all the sorrow and misery that follow in its train can be prevented if proper attention is paid to the selection of workmen, safeguarding of processing apparatus, and good housekeeping with all its extensive plant ramifications. When, in addition to this, we may reasonably expect a strong spirit of cordial cooperation on the part of workmen, the hopes of the enthusiastic industrialists that occupational disease will one day be banished may be justified. In New Jersey a definite and constructive program that requires every occupational disease to be investigated carefully has been in operation for the past several years. The services of a skilled consultant in industrial chemistry are available where discussion and details involve complicated and difficult problems in chemical manufacture. In addition, the department has established the practice of employing a skilled technician for the purpose of making atmospheric tests where operations involve exposures to subtle trade poisons in gaseous form. The National Safety Council recently completed a splendid piece of work in drawing to the attention of the processing world the dangers that result when workmen are exposed to concentrations of benzol as great as 75 parts of benzol to 1,000,000 parts of air. In addition, the work of the spray painting committee has shown the necessity that exists for either discontinuing the use of poisonous substances in materials that are to be sprayed or in providing exhaust hoods that will protect the workmen from the toxic fumes of solvents as well as from the finely divided particles of poisonous materials that are rendered imperceptible to the human eye by the spray-brush apparatus.

The accompanying table presents a graphic picture of occupational disease rates in the State of New Jersey for the past year. The cases enumerated in this table were all reported to the workmen's compensation bureau. It is thought that in addition to the 81 cases contained in this table because they were entitled to compensation at least three times as many occurred that did not cause the injured persons to lose the length of working time prescribed by the waiting period of the occupational disease act. I have confidence that as time goes on and occupational-disease information is diffused industrial engineering will surround working practices with protective devices that will safeguard workmen from the hazards that are now all too numerous.

The progress that has been made during the past 10 years in carrying on this work is great enough to justify the hope that at the end of another 10-year period an occupational disease will be an uncommon incident in the operation of an American industrial plant.

COMPENSABLE CASES OF OCCUPATIONAL DISEASES REPORTED TO NEW JERSEY  
BUREAU OF WORKMEN'S COMPENSATION DURING 1926

Disease or cause	Total compensable cases	Time lost (days)	Total indemnity paid
Amido derivatives of benzol (anilins).....	2	50	\$87
Anthrax.....	11	358	661
Arsenic.....	1	230	383
Heat and light (including heat from asphalt—not burns).....	1	22	36
Lead poisoning.....	132	17,816	9,478
Mercury.....	2	616	1,239
Nitro derivatives of benzol (diartrinitrobenzol).....	8	365	808
Occupational activity (cellulitis, etc.).....	23	696	1,126
Other.....	1	32	61
Total.....	81	10,185	13,879

<sup>1</sup> Including 1 death, of painter 51 years of age.

The CHAIRMAN. The experience of each labor department is that the danger zones in industry are well known now. It is not many years since we were absolutely in the dark so far as that problem was concerned. While we knew all about the cost of raw material and the cost of the finished product in industry, we knew very little about the contribution that the human side or the human element was making in this connection. Accident investigation by the different industrial States has brought about a complete change in that respect. The experience of each one of these industrial States now is that their inspection department is in close touch with those danger zones, with those hazardous employments, and that through the use of the inspection staff those places of danger in employment are being reached and a great deal of improvement is noted.

No one disputes the fact that machinery accidents have been reduced and that is true of almost every industrial State. First we learned where the danger points were; then we trained our inspection staffs upon these hazards; then followed a successful result in reducing machinery accidents.

We are to have a speaker address us shortly who will deal with a phase of industrial accidents that, I think, in some respect must startle us, must make us realize how closely associated with that great American institution—the home—the work of our different labor departments is.

Accidents in the mining industry occur frequently. Explosions seem to happen regularly, and with the lapsing of time are quickly forgotten. But those who are deeply interested in the matter realize the effect these catastrophies have upon the home and upon the women and children in the home.

I have great pleasure in introducing to you Mr. William Boncer, who will now address the convention on the subject of "Mine Safety Work."

## MINE SAFETY WORK

BY WILLIAM BONCER, FIRST VICE PRESIDENT MINE INSPECTORS' INSTITUTE OF AMERICA

It has been only within the last two or three years, I believe, since this body has taken up the question of mining. I am glad that this body has taken an interest in this particular subject, because, to my mind, it is one of the greatest industrial problems that we can take an active interest in. The question of coal mining is one that affects the lives of all of our people; it affects us in our welfare and our comforts and happiness from every angle we may wish to look at it.

This morning there were one or two matters mentioned, and I just wish to divert from my paper for a moment or two to speak on them. Mr. Andrews, the secretary of the American Association for Labor Legislation, referred to the meeting he attended in Cincinnati a few days ago in which he stated that the coal operators had opposed the making of a safety code for the reduction of accidents, while, on the other hand, the representatives there, the engineering men, the men of technical and scientific knowledge who were familiar with all the details of mining, wanted to recommend what was directly opposed by the operators.

I was startled to hear that statement come from a person who attended that meeting, because I believe that there was a different feeling among the coal operators throughout the country, knowing what has taken place in my own State, the State of Virginia, in the past year and a half, in which the greatest work in behalf of safety has taken place.

Another matter which was referred to this morning was by our good friend, Mr. Stewart. He referred to the insurance problem as affecting the coal industry. Last year the Associated Companies, which is the insurance concern that was carrying, I suppose, the largest part of the mine insurance in the United States, issued an order to the effect that after October—this was in 1926—they would refuse to carry insurance on any mine that did not have the mine rock dusted, the rock dusting, of course, being for the purpose of preventing explosions. The insurance company's notice fell upon deaf ears. The result has been that this insurance company has withdrawn from all of the mine insurance. It immediately withdrew from the State of Virginia, as Mr. Stewart said, and the States of Kentucky and Alabama and, I think, one or two others.

There has been some difficulty in securing insurance on the part of the particularly small operators in Virginia. As Mr. Stewart said, I believe this is one factor entering into the coal industry that is going to have some effect on bringing about greater safety, because, as contended by the insurance companies, the loss on the carrying of these insurance risks is so great that they would not carry them without having greater assurance of methods of accident prevention in the mines.

Geologists tell us that the greatest thickness of the stratified rocks of the earth's surface is estimated to be about 20 miles, while the average thickness is 5 miles or more, and that the Carboniferous or coal age ranges from 8,000 to 16,000 feet in thickness. While the coal measures are very small in proportion to the thickness of the stratified crust of the earth, yet they vary and have enormous thickness in

some places. In Pennsylvania they are about 4,000 feet; in West Virginia, 6,000 feet; in Oklahoma, 8,000 feet; in South Wales, 12,000 feet; in Nova Scotia, 13,000 feet.

It is not my purpose in this paper to discuss geology as such, but to discuss coal-mine accidents and their prevention—a phase of coal-mine activity which affects the health, happiness, and prosperity of the men who are engaged in taking from the earth a product which enters into the comforts and welfare of all of our people. In order that you may have some idea of the depth of our coal measures and be able to imagine the difficulties that may be encountered in penetrating the earth for some of the coal I have given the geological data. Through geology and science we have learned a great deal about the minerals of the earth and their values, and through the same sources we have learned how to safely, economically, and profitably extract them. Coal being a basic product, vitally necessary to the operation and further development of all of our industries, it is necessary that we use all known safety measures in safeguarding the lives and limbs of the workmen who produce this valuable product and at the same time conserve this limited fuel supply to posterity.

#### ACCIDENTS

Each year about 2,500 men are killed in our coal mines, and, computed at the rate of 6,000 productive days' labor, we have a direct labor loss to the industry of 15,000,000 man-days per year. However, this is only one part of the loss that must be charged against the industry as a result of these accidents. To this must be added the stoppage temporarily of employees engaged where the accident occurs, the shaken morale, the labor turnover resulting therefrom, and many other losses, which can not be computed in dollars and cents, all of which do affect the cost of coal to the consumer.

#### CONTRIBUTORY FACTORS

One of the outstanding contributory factors at this time which should be eliminated in order to assist materially in reducing accidents is the cut-throat competition in the selling of coal. Prices at the mine are entirely too low to permit a reasonable margin of profit, a part of which should go into the upkeep and improvement of the mines.

Another factor is that many men now working in the mines never have made and never expect to make mining their permanent calling. These men are largely farmers and mix one job with the other. Many of them do not understand mining and are not interested enough to learn; where there is a lack of discipline they go on in a careless way, not only jeopardizing their own lives but the lives of others. If they happen to be dismissed for one cause or another, they merely pick up what tools they have and go to another mine and secure work.

To the man who has always made mining his occupation the change in systems and equipment is a factor against safety. It is an old saying that it is hard to teach an old dog new tricks. It seems to be natural for human beings who have been in the habit of doing things a certain way for a long time to fall into a rut out of which it is hard to get. This does not apply to the miner any more than to

any other class, but it does enter into our mining problems to-day, and much educational work will be necessary to eliminate it.

Wasteful and careless methods of operation by employers create careless and negligent employees. When the average man secures employment at a mine he will come very near forming the habits and practices of the employer and the other officials. If a good system is maintained in development work, if timbering is properly done, supplies neatly put away where persons can get them when wanted, and other work done in a clean and safe way, it will not be long before the miner is doing things the right way or he will voluntarily leave the mine. Many mines have been planned and worked with no thought given to the providing of safe roof conditions. Too often the mine pillars have not been commensurate with the depth and nature of the overlying strata, the nature and character of the bottom, thickness and character of the coal, and the pitch of the seam. The pillars may have been drawn close to the haulage roads, manways, and airways. As a result of such negligence the roof has been disturbed and broken along the haulage roads and the airways choked with falls, thus creating dangerous conditions in working places. All mines should be planned in such a fashion as to retain the maximum stability of roof until the coal has been worked out and the mine abandoned.

We know how properly to timber and support the roof, yet hundreds of men are killed and thousands injured annually because timbering is not properly done. In fact, this is the chief cause of mine accidents.

I believe another serious factor in the great loss of life and the injuries to large numbers of men is due primarily to the feeling on the part of officials and inspectors at mines that the occupation of mining is naturally a hazardous one and that, therefore, mine accidents are naturally a daily and annual occurrence. The idea that a mine can not be made safe should be dispelled. Let the president of the mining company, the directors, and other company officials become personally interested in the elimination of accidents. Let accident prevention come first on the list of matters to be considered at board meetings, then pass the word down the line to the lowest official that a continuation of accident frequency means dismissal, and we shall soon see a great reduction in both fatal and nonfatal accidents. There are several operations now being conducted on such a basis, under which accidents have dropped off to a surprisingly low level. There are incompetent officials in charge of some mines who daily look upon careless practices by men in their employ and take no action to correct such carelessness. Let me call to your attention the fact that the manufacture of the explosives used in mines—the most hazardous industry we have—is now the safest. The manufacturers of explosives recognized the hazard problem and then solved it by putting into effect methods that have made the industry comparatively safe.

The records of the explosives manufacturing companies show that they have practically eliminated accidents. When we reach the point where the practice of safety is made a condition in the employment of supervising mine officers we shall have begun a campaign of safety that will virtually eliminate coal-mine accidents. Many men employed in mines are given to careless and dangerous practices,

absolutely taking chances and doing things which they know have injured others, and we believe that the only way by which thoughtless men can be prevented from doing these things in the mines is to keep them out of the mines, and this should be done. On the other hand, many men do things they should not do and are injured because of the force of circumstances. We know that the law of averages is against the person taking chances, but how many men are there that will not take a chance at one time or another to add a few pennies to the day's pay when they know that their families at home need shoes and clothing, or, as we sometimes see it at the mines, where the miner waits for his day's earnings to be turned into the office so that he may draw scrip on the store to purchase food for supper and breakfast and dinner for the following day. We are convinced that an important factor connected with accidents is a low and inadequate wage, and as long as the unsettled and unstable condition now prevailing in the coal industry exists, the operator will not have the funds to maintain the necessary safe conditions in the mine. Nor will the employee receive wages sufficient to prevent him from taking the chances which he thinks are necessary to make both ends meet.

#### ACCIDENT STATISTICS

I had the pleasure recently of listening to an after-dinner talk on the coal question by a coal operator. Among other things, he stated that he could not tell whether mine accidents were increasing or decreasing, but he believed that if the ratio was based on the number of people employed we would find that they were not decreasing and that there possibly was a slight increase.

I have tried to come to some conclusion on the subject myself. I have read articles and consulted tables from various statisticians, both Federal and State, as well as those of insurance companies and safety engineers and executives of private corporations. My interest has been intensified in this subject because of efforts that are being put forth in my own State—Virginia—in mine-safety work for the past year or year and a half. At no time in the history of coal mining in Virginia have such efforts been made to prevent accidents as during the period referred to, and these efforts are continuing and growing. I want to encourage this good work by assisting in developing a plan for the gathering of statistics which will tell us just where we are and what progress we are making. Personally I believe if there is any change there is a slight increase.

The most comprehensive article I have read on the subject of accident statistics is one written by the Hon. Ethelbert Stewart, Commissioner of Labor Statistics of the United States Department of Labor, in which he advocates the reporting of man-hour exposure, together with the number of men and number of accidents. This article appeared in the June, 1926, number of the American Labor Legislation Review. I believe all of us are convinced that there should be some uniform national system of accident reporting, so that we may have some idea of where we are in accident-prevention work.

#### RECOMMENDATIONS

What is true of accident statistics is also true of safety regulations. There are some basic safety regulations which could apply to all coal

mines and which I believe should be made national as a minimum standard. I will give you a few which I think should be adopted:

1. Permissible electric lamps should be used in all coal mines and the use of open-flame lamps and smoking should be prohibited. Flame-safety lamps magnetically locked should be required for testing gas.

2. All undercutting machines should be equipped with a water-line connection and the operators required to keep the fine coal and dust made by the machine so moist that it will ball when pressed in the hand. All loaded cars should be sprinkled before leaving the face.

3. All bituminous mines should be rock dusted with fine dust of not less than 20 mesh on the roof, floor, and ribs at not less than 65 per cent. Rock-dust barriers should also be properly placed to prevent the propagation of explosions.

4. All blasting should be done with permissible explosives and should be fired electrically.

5. Each mine should be so ventilated that methane could not accumulate in dangerous quantities.

6. All main haulage entries should have a height of not less than 5 feet from the top of the rail and not less than 3 feet clearance on the wide side. All timbers necessary on haulage roads should be set into the rib so that the outside of them will be flush with the face of the rib.

7. All electrical installations should be put in conduit or otherwise safely guarded in a mine.

8. Trolley motors should be prohibited and permissible storage-battery motors used in all gaseous or dusty mines.

9. All blasting of coal or rock should be done by competent shot firers, and all persons except shot firers should be out of the mine when the blasting is done.

10. All officials, including fire bosses and shot firers, who are in a supervisory capacity in coal mines should be required to have a certificate of competency.

The adoption of a program of this kind would, I believe, reduce to a minimum accidents in mining operations.

One of the first duties of State or Nation is to care for the welfare of the citizen. The bulk of our adult population is gainfully employed in mine, mill, factory, and in agricultural pursuits. The majority of these workers have dependents—the citizens of to-morrow.

Is it not the duty of State and Nation to safeguard, by law and by every other possible means, the lives and health of the work people? Should we not do our part in advancing any plan, educational or moral, to prevent disease, to prevent accidents, and to prevent the misery and suffering to the family which inevitably follows an accident to the breadwinner? Great progress has been made in this important field, and I believe that in the next few years our country will set an example to all other countries of the world in the humanitarian work of safeguarding the lives and limbs and health of the men and women of labor.

[Meeting adjourned.]

**FRIDAY, JUNE 3—MORNING SESSION**

**MAUD SWETT, FIELD DIRECTOR WOMAN AND CHILD LABOR, INDUSTRIAL COMMISSION OF WISCONSIN, PRESIDING**

**WOMEN AND CHILDREN IN INDUSTRY**

The CHAIRMAN. The first matters on our program are the reports of two committees. First we will have the report of the committee on migratory children and children in commercialized agriculture. Mr. Wood, commissioner of the Bureau of Labor of Louisiana, is the chairman of that committee, and he will give us the report.

**REPORT OF COMMITTEE ON MIGRATORY CHILDREN AND CHILDREN IN COMMERCIALIZED AGRICULTURE**

I think a word of explanation is necessary before this report is submitted. In 1925, at our sessions in Salt Lake City, a committee consisting of Mrs. Trumbull, Mr. Connally, and myself was appointed. By reason of the political cyclone the other two members lost out as members of this committee. Previous to Mr. Connally's leaving the department we had a considerable exchange of correspondence on this subject, in which I advised Mr. Connally that I was in no way conversant with these conditions, because we were not confronted with that particular problem, and suggested that he obtain first hand from his own State and adjacent States such information as he thought would be of interest.

Later on I again suggested that if he did not secure or was not in a position to secure such information as was desired he should get in touch with the Children's Bureau at Washington, who doubtless could furnish such statistics as would be of much use in preparing his report. He did that. When we convened in 1926, this report was sent to me through our secretary, and by reason of its length—it covers in your present report some seven or eight pages of printed matter—it was suggested at that time that the report be accepted in its present form, embodied in the minutes of the proceedings of 1926, published in full, and submitted to the membership of this body for reading for final action at this time.

The committee was granted the privilege of submitting any additional information that was obtainable at this session. Having no information myself and not being familiar with this particular subject, I addressed a communication to the Children's Bureau at Washington. In their reply they advised me that no new survey had been made since the last report had been submitted and that they were not in a position to give any further information. They further added that the report of 1926 would appear in the printed minutes which would be distributed previous to and at the meeting of this body.

I myself received a copy of the proceedings some two or three months ago. I see that other copies are here for distribution. Among other things, a previous report is embodied just as submitted at our last session. Having no new information and not being in a position to gather any new statistics, and in view of the fact that this report was to be submitted to you at this time for your reading, we have nothing new to present.

I have drawn up an informal statement in this connection which is virtually what I have stated to you, with the added clause that, from the information obtained which we must accept as authentic, there is a condition existing in certain sections of this country in connection with the subject matter that is a menace to the child worker. Whether or not we can remedy this evil best by local or national legislation is a problem. I believe we can handle it best by local legislation, and we have so recommended. When I say "we" I speak for the committee. We know that the sentiment of a number of the States is against Federal legislation regulating State rights. In other words, the opinion of certain employing interests is that you are infringing upon State rights when you put national legislation on the statutes to regulate State rights.

This body should go on record at least—and this has been so recommended—as favoring the elimination of such laws as now exist which permit migratory child labor, and if there are no laws permitting it we should at least go on record as opposing the practice of exploiting child labor in these particular industries.

I have nothing new to report. I am simply going to ask that the previous report—the report of 1926, as embodied in your minutes beginning on page 40 of the proceedings which are published and extending through and including about the next 8 or 10 pages—be accepted as a final report of this committee.

If you should wish to continue this committee, I then would suggest that you enlarge your committee and would further suggest that you put on that committee such members of this association as are confronted with existing conditions of this kind throughout the country. It is absolutely a foreign subject to me, and I rather imagine I was placed on the committee rather as a layman or a fill-in, because we are not confronted with that problem.

I believe that I said to you last year that we had a sufficiency—I might say a superfluity, if you please—of child labor in our State, and we do not have to bring into our State children from other States to help discharge the duties in our industrial or agricultural pursuits. We have an ample supply, and can give you some if you need them. I have nothing further to add to that report.

I recommend that the report as submitted be accepted as the final report from this committee.

[After some discussion the association voted that the committee be enlarged and continued.]

The CHAIRMAN. Another committee that was continued was the one on home work. Miss Matthews, who acted as chairman before, continued as chairman, and she will make the report of that committee.

#### REPORT OF COMMITTEE ON INDUSTRIAL HOME WORK

The committee on industrial home work was appointed in February, 1926, as the result of the following resolution passed at the convention of the Association of Governmental Labor Officials of the United States and Canada, held at Salt Lake City in August, 1925:

*Resolved*, That a committee be appointed to look into the question of industrial home work, the extent to which such work is conducted in the various States, and the methods being taken to deal with the situation, such a study to be made in cooperation with the United States Children's Bureau and the United States Women's Bureau, and report to be made to the next convention of the association.

As reported at last year's convention, because of the brief time intervening between the date of the appointment of the committee and the next convention

of the association, the scope of the committee's inquiry last year necessarily was limited chiefly to the assembling of such information on the subject as could be obtained by the committee members for their respective States and through correspondence with other labor officials for the remaining States. I shall not take the time here to tell in detail the results of this inquiry, since the report of the committee as submitted last year is printed in full on pages 34 to 40 of the proceedings of the last annual convention. I shall merely state briefly the conclusions reached by the committee as the result of its survey:

*First. As to the information available regarding the extent and conditions of industrial home work in the United States at the present time:*

1. Industrial home work is without question a live problem in many sections of the United States.

2. In most localities in which it has arisen serious evils have been found to follow from its practice.

3. However, information as to its prevalence, the numbers and kinds of workers engaged in it, the conditions under which the work is done, the industries affected, and the interstate aspects of the problem is either lacking entirely or admittedly inadequate in many sections of the country, even in States where the existence of home work (at least in some industries) is known to the State authorities and even in States where the existence of a home-work problem has been recognized in the enactment of prohibitory or regulatory legislation.

4. Therefore no complete report as to the extent and conditions of home work in this country can be made, and further investigation on the subject is urged.

*Second. As to the methods in effect of dealing with the situation:*

1. Some system of legal regulation is unquestionably necessary, at least in States where the industrial home-work problem exists.

2. Certain minimum standards of legal regulation may be agreed upon on the basis of the experience of the States up to the present time.

3. However, no general agreement among State officials and other authorities appears to exist as to the most effective program for the correction of the evils of industrial home work, and no information is available that can enable the committee to judge conclusively as to the relative effectiveness of the different methods in operation.

Following these conclusions the committee offered a series of recommendations for the consideration of the association. Of these, the first (and, in the opinion of the committee, the most important) related to the need for further research and to the methods of conducting such research. To quote from last year's report:

In view of the facts brought out by the inquiry, the committee decided to place chief emphasis in its report to the association upon the need for further information as to the facts of industrial home work and as to effective methods of correcting the evils found to exist wherever home work is undertaken on any extensive scale, and to make as its chief recommendation a continuation of the study of the industrial home-work problem by the association and its membership.

It is the opinion of the committee that the facts regarding the extent and conditions of factory work in the home should be obtained as far as possible by labor officials of the different States, each working independently in his own State, but preferably following a common outline of study. So ready a response was made to the request of the committee in its questionnaire sent out this spring that the committee is encouraged to hope that a large number of States might cooperate in such an inquiry if given a reasonable time in which to do so.

The committee believes that the study of the comparative effectiveness of the different types of home-work regulations, on the other hand, should be undertaken as a general inquiry by some research organization independent of the membership of this association, working, of course, in close cooperation with the State agencies and with their active help, but itself assuming full responsibility for the investigation and report.

Should the association indorse this plan it is recommended that a committee similar to the present one be appointed to undertake the necessary negotiations for such a study and to serve as an intermediary between the association and the research agency during the conduct of the inquiry. This committee could also serve as an advisory board and clearing house of information in connection with any investigations that might be made by the State officials as to the extent and conditions of industrial home work in their several States, as suggested above.

In addition to this, its principal recommendation, the committee offered to the consideration of the association certain tentative standards of legal regulation, all of them operative in some of the States at the present time, which the committee had agreed upon as desirable pending the proposed study of regulatory machinery that the committee believed to be necessary before a really adequate program of legislative control could be worked out.

The time allowed for the report of the committee at last year's meeting was too brief to permit a discussion of its recommendations, and, after being read, the report was referred to the committee on resolutions, which submitted the following for adoption by the association:

As a substitute for the recommendation of the committee on industrial home work:

*Resolved*, That this committee be continued with the view to enlarging the scope of its investigation.

This resolution was passed by the association, and the persons who served on the committee last year were requested to continue as its members. Although the terms of the resolution continuing its existence were broad, it was the definite understanding of the members of the committee on industrial home work who had conferred with the committee on resolutions and had been present at the meeting when the report of that committee was made, that it was not the intention of the association to instruct this committee to take steps toward carrying out its principal recommendation—that is, to interest some competent research agency in making a thorough study of the effectiveness of different types of home-work regulations. On the other hand, such a study would involve a considerable amount of field research and travel and the employment of expert investigators and would therefore be out of the question for a committee of this kind. All that the committee could do, therefore, was to attempt to obtain further information concerning the extent and conditions of home work in the different States.

Questionnaires were sent again to the small number of States which had not sent in any information last year, and the officials who had replied but who had been unable to furnish any definite information regarding conditions in their States last year were urged to make some sort of inquiry before the meeting of the association this spring. The response to this request was very good. Officials in a considerable number of States agreed to make a special survey, or at least to have their inspectors inquire of the establishments visited this year whether or not home work was given out, and, if so, under what conditions. Although the reports received this year did not effect any material change in the conclusions reached by the committee last year, more specific facts were furnished for a number of States, and the number for which "no information" has to be reported has been reduced to nine States—practically all of them nonindustrial States in which it is highly improbable that any industrial home work exists. The committee is glad to report that it now has had some reply from every State official but 2 of the 45 of whom inquiry was made.

A summary of the information obtained for each State has been prepared by the committee, and it is planned to have copies printed for distribution among the membership of the association and other interested persons.

In its recommendations, as in its conclusions, your committee does not see how it can do otherwise than reiterate its findings of last year. It still believes that little can be done toward a constructive solution of the problem unless a thorough study is made of the workings of different methods of control, and it still believes that this study is not one that can be undertaken by the association. It still believes that, pending the results of such a study, certain minimum standards of regulation, reported to be operative and effective in certain of the States at the present time, may be agreed upon as desirable. These minimum standards are the same as those printed in the committee's report of last year.

Finally, the committee still believes that the association and its membership should continue to study the industrial home-work problem. Not only should the States continue the inquiries started by so many, as a result of the association's appointment of this committee, but the association itself should give more consideration to the problem in framing the programs for its meetings. We believe that if, for example, at the next meeting of the association a session could be devoted to this subject alone, at which the speakers would be persons who have had actual experience in the enforcement of home-work legislation in their States, and enough time were afforded for discussion, so that there could be a real exchange of helpful experience, much could be done to stimulate interest in the problem and in working out ways to meet it.

Following are the minimum standards of regulation already referred to, unanimously agreed upon by the committee:

1. Absolute prohibition of the manufacture of certain kinds of articles in the homes should be required where necessary for sanitary or safety reasons, either for the protection of the consumer, as in the case of certain foodstuffs, certain articles of clothing, etc., or for the protection of the worker in cases where explosives or poisonous or otherwise injurious materials are used in manufacture of the goods concerned.

2. All labor laws of a State, including legislation regulating child labor and the hours of labor of women, workmen's compensation or employer's liability laws, minimum-wage legislation, and the legal standards for safety, sanitation, and working conditions, should apply to industrial work of all kinds done in the home as well as to that done in the factory.

3. Responsibility for full compliance with such laws and with any special regulations applicable to home work should be placed upon the manufacturer for whom the work is done, irrespective of whether the work is given out by him directly or through another person. He should be required to keep on file a register containing the names, addresses, and ages of all home workers employed on work for him, the kind and amount of work done, rate of pay and actual wages paid, together with such additional information as the department of labor may require, accessible to inspectors of the department, and should send a copy of this register periodically to the labor department. No employer or contractor should be permitted to give out home work until licensed to do so by the State department of labor, and no employer should be licensed to give out home work unless he enforces compliance with all the requirements of the labor law applicable to home work in the homes in which work is done for him.

4. Adequate authority for the enforcement of all laws applying to factory work done in homes should be given by law to the State labor department, and an adequate inspection staff should be provided for this work. Periodic inspections of places where home work is done should be made. It is believed that in States where the industrial home-work problem is an extensive one the appointment of a special staff of inspectors who will devote their entire time to the enforcement of the regulations applicable to home work will result in

greater efficiency of administration than when the work is handled by regular factory inspectors assigned also to other duties.

5. Local boards of health should notify the State labor department daily of all cases of communicable disease occurring in the locality over which they have jurisdiction, giving the name and address of the person suffering from the disease, and the State labor department should report immediately to employers the names and addresses of all home workers registered as employed by them in whose homes such disease exists.

6. A tag or label giving the name and address of the manufacturer, the nature and quantity of the goods, and the name and address of the worker or workers to whom the goods are given out to be worked on should be placed upon each unit of delivery or shipment to a home worker and this label should not be removed until the work has been completed and returned to the employer.

7. The members of the committee did not feel sufficiently certain of the effectiveness of the different systems now in operation in a number of States, whereby individual families or residences are licensed for home work by the State labor department, to recommend the adoption of a specific method of regulation of this type. The committee is, however, of the opinion that this machinery should certainly be retained by the States in which it is now operating until such time as more effective methods of enforcement have been worked out by these States.

#### SUMMARY OF INFORMATION OBTAINED BY THE COMMITTEE

##### ALABAMA

No previous study reported. In the spring of 1926 the chief child labor inspector of the State child welfare department wrote the committee as follows: "As far as I know there is practically no industrial home work carried on in this State."

In response to the committee's request in the fall of 1926 that further inquiry be made, the State child labor inspector visited the attendance officers of the three largest cities in the State and requested that they report to the department all cases of industrial home work which came to their attention. They later reported that they had not found any evidence of home work in connection with any industry in their cities. In addition, the State inspectors made it a point to find out whether home work was being given out in any of the garment factories visited, and up to the time of their last report to the committee they had found none. The director of the child welfare department writes as follows (May 13, 1927): "I think a real investigation might reveal certain phases of home work being given out by the tailors, perhaps, and others, but I honestly believe the amount is very small in this State and would hardly justify the time which would be required of us to make this study."

No legal regulation.

##### ARIZONA

No information available; no legal regulation.

##### ARKANSAS

No information available; no legal regulation.

##### CALIFORNIA

*Previous studies.*—"An investigation was made during the summer of 1922 of all establishments employing women or minors in the Chinese quarters of San Francisco and Oakland. In addition to enforcement of the [industrial welfare] commission's orders for wages and hours of labor, the investigation was pursued with special reference to the home work in these districts.

"The bulk of the work done at home was garment making, with the use of both foot and power machines. Products included aprons, coveralls, men's coats (whole garment), house dresses, pajamas, and nightshirts. In addition, such work as sewing buttons on shirts made elsewhere, putting buttonholes in men's coats, and finishing trousers was done at home. There was also beading and embroidery and making of lamp shades.

"Thirty-one women were visited in San Francisco in their homes and 26 women in Oakland. As these numbers represented every woman whose name was obtained from a large number of sources, it was felt that the majority of the women doing home work in these quarters had been reached. Compared with the number of all women employed in factories, even if one limits the comparison to the needle trades, the home workers here are relatively negligible." (Fifth Report of the Industrial Welfare Commission of the State of California for the biennial periods July 1, 1922, to June 30, 1924, and July 1, 1924, to June 30, 1926, pp. 28, 29.)

*Information furnished to committee.*—(Letter from executive commissioner, Industrial Welfare Commission of California, May 17, 1927.)

"In answer to your first question 'What kinds of industrial home work are carried on in your State?' home work in southern California and northern California is very different. In the north it is largely concentrated in the Chinese and Japanese quarters. The Japanese do a great deal of embroidery, and, I have no doubt, also make kimonos, pillows, etc., but we have never been able to make an investigation in the Japanese district.

"One of the largest home-work industries, both in the north and south, is the lamp-shade industry.

"Handkerchiefs—the silk and georgette kind trimmed in lace, etc.—are made in large numbers; neckties are finished at home; pillows and a small amount of ribbon flowers are also made at home.

"We have some knowledge of certain factories that give bundles of either children's clothing or simple aprons or house dresses to housewives who make these on their own electric-power machines, but there is only a small number of women engaged in this kind of home work. I have no knowledge of the amount of tailored work that is done in the home. I can give you no idea of the number of women or the number of homes in which this work is done. We have never followed into the homes as we never had the staff to do this kind of work. I think there is some home work sent into our State."

*Legal regulations.*—There is no law specifically applying to industrial home work, but under its power to regulate the wages and conditions of employment of women and minors the industrial welfare commission has issued certain orders affecting work for factories done in homes. Concerning these the executive commissioner stated as follows (May, 1927):

"We had started to make some home work regulations when in 1923 our budget was so cut that we were obliged to do only the most pressing work for the proper enforcement of our minimum wage legislation, as it left us with practically no staff to do any outside investigation of any kind. However, in section 11 of our manufacturing order, issued May, 1923, we do try to get some information in reference to where home work is being done and the rates paid. We try to prevent any woman from doing home work after factory hours, and I think for the power we had in 1923, 1924, 1925, and 1926 this was practically all we could have done."

#### COLORADO

No previous study reported. In the spring of 1926 the chief factory inspector of Colorado wrote that industrial home work in Colorado was "so slight as not to become a problem," and that his office had "no means to pursue a specific survey."

No legal regulation.

#### CONNECTICUT

*Previous studies.*—In 1919 the Department of Labor of Connecticut made an investigation in which they found that 73 employers in the State had given out home work to 2,600 families. A special inquiry was made as to conditions in 1,316 families, of which 569, or over 43 per cent, had from 3 to 8 children, the total number of children in the families investigated being 3,418. (Home Work in Bridgeport, Conn.: Bulletin No. 9, Women's Bureau, U. S. Department of Labor, p. 18.)

The biennial reports of the State factory inspection department contain statistics regarding home work in the State. A large number of different types of home work are reported, among the more important being carding safety pins, hooks and eyes, etc., work on hose supportors, making and assembling sectional parts for paper boxes, hand and machine sewing processes, and crochet beading. (Reports of factory inspection department for the two years ending September 30, 1918, p. 33; and for the two years ending September 30, 1922, pp. 35, 36.)

In a survey of industrial home work in Bridgeport, made by the Women's Bureau of the United States Department of Labor in 1919, 100 home-working families were visited, the majority of whom were employed in work connected with the making of garters. Information was obtained as to the rates of pay and family earnings from home work, the employment of children, and the conditions under which the work was done. These families include 300 children, of whom 268 were under 16 years. Of these, 110 assisted regularly in the home work and probably others helped also. Instances were found of very young children working hard at home work. (Home work in Bridgeport, Conn., December, 1919: Bulletin No. 9, Women's Bureau, United States Department of Labor.)

*Information furnished to committee.*—A survey was made by the State department of labor, in response to the committee's inquiry, the findings of which were reported as follows by the deputy commissioner (May 11, 1927):

"About 1,400 workers were employed during the past year. The materials given out included clothing, shirtwaists, pants, garters, hosiery, buttons, gloves, children's dresses, handkerchiefs, lace (pulling threads), pins, hooks and eyes, snaps on cards, crocheting shade pulls, covering baseballs, bundling leather, lining silver novelties, dolls, stuffed toys, metal goods, elastic webbing, auto trimmings, pasting fur.

"The largest number engaged by any one plant was 300, employed covering baseballs; the next largest number, 200, engaged in work on garters. There has been a reduction in the number of home workers within the past few years, due partly to a slackening of industry in general. Another factor is the ability of the manufacturers to get work done in the factory, thus eliminating the bother of sending it out and the extra record work in the office. One firm reported that when it was learned that workers were receiving assistance in the home by the children, home work was discontinued at once and had not been resumed. The chief difficulty seems to be to find out whether the home work is being done by the younger members of the families. Unless school authorities report cases of listlessness on the part of pupils, due to being kept up at night working, the department has no means of getting the information. Several cases were so reported during the past year, the work being pasting fur pieces on paper. This work was given out for a short time only, and was called in as soon as it was learned that children were doing the work in the homes.

"As this State has no law permitting the inspectors to enter individual homes, our reports must depend largely on what is obtained from the manufacturers. At the present time we know of no firms outside the State who are sending work into the State. One inquiry came to the office as to whether this State required a license for such outside work. The reply was in the negative."

*Legal regulations.*—The law applies only to tenements or dwelling houses used by others than the immediate members of the family living therein for the manufacture of articles of wearing apparel, artificial flowers, purses, cigars, and cigarettes, requiring that persons engaging in such work shall notify the labor commissioner and that the work shall be done in clean, sanitary rooms properly lighted and ventilated. No license is required.

#### DELAWARE

No previous study reported. In response to the committee's inquiry the State 10-hour law inspector made an inquiry in the spring of 1926, the findings of which were reported as follows (May 15, 1926):

"I have made careful inquiry into the question of home work for women in the State of Delaware. There is no establishment in the State that is giving out home work at the present time. There never has been any amount of it, but there were from time to time a few firms who did this to some extent. Most of the employers with whom I talked told me that it was not as satisfactory as having the work done at the plants under supervision. The territory

is so small that it is very easy to get workers who live very near the plants. I have asked other agencies to help in the matter, such as the mothers' pension secretary, etc. These people are in closer touch with homes than I would be. We are glad to report that there is no home work."

No legal regulation.

#### FLORIDA

No information available; no legal regulation.

#### GEORGIA

No previous study reported. The commissioner of commerce and labor wrote as follows (May 10, 1927):

"I beg to advise that there is no industrial home work being carried on in Georgia, unless individual sewing should be considered industrial home work. It may be possible that in some instances work is taken home from some shop, but if this is true, it amounts to very little. I do not believe that any manufacturers in the State farm out such work."

No legal regulation.

#### IDAHO

No information available; no legal regulation.

#### ILLINOIS

No previous study reported. In response to the committee's inquiry the bureau of industrial accident and labor research of the State department of labor reported as follows for Chicago only (April 24, 1926):

"With the limited time and staff at our disposal we have tried to gather some information on the subject of home work. Unfortunately, it will at this time be impossible for us to undertake a real survey of the situation.

"Taking up the points raised in your letter, we find as follows: The chief work done at home seems to be embroidering, beading, and sewing silk flowers on women's apparel. An official of the joint board of sanitary control of the International Ladies' Garment Workers roughly estimates that about 3,000 workers are employed in this industry in Chicago, and that about 85 per cent of the work is done in homes. Approximately 100 shops do embroidering, only a few of which employ more than 15 people. Most of the home workers are women and children in the Polish, Jewish, Italian, and negro districts. Some women contractors give out embroidery to be done in the home. There is no union organization in the above trades in Chicago.

"Without further study it is impossible to say in what order of importance the other kinds of home work rank. In late years home work is known to have existed in Chicago in the following kinds of work: Making artificial flowers and feathers; making lamp shades; wiring shipping tags; making parts of toys; shelling and picking nuts; peeling onions; addressing envelopes; assembling garters and suspenders; sewing powder puffs (one firm employed 100 families on this work); assembling toys; knotting fringe on draperies; decorating cards; beading shoes; making bead bags, etc.; millinery; putting strips of paper into holes in punch boards which are used for gambling purposes; embroidering clocks on hosiery; coloring prints; possibly carding of snaps and buttons to a limited extent.

"We are unable to give the number of families doing home work or the number of employers giving it out. The above information applies only to Chicago, since we have had no facilities for ascertaining the kinds and amount of home work done in the rest of the State. It is probable that artificial flowers, embroidery, beading, lamp shades, tags, and toys are the principal products of home work in Chicago."

*Legal regulations.*—The following information as to legal regulation was received from the bureau of industrial accident and labor research of the State department of labor (April 24, 1926):

"The only State laws governing home work in Illinois are the child labor law and the garment law. Under the former no child under 16 is allowed to do work at home under any conditions different from those imposed on factory work. However, the enforcement usually is confined to warning those who give out home work that they must see that the child labor law is observed.

The employer or contractor is required to keep a list of the families who have children under 16 years of age.

"The garment law applies also to the manufacture at home of purses, feathers, artificial flowers, and cigars, but it is a health and sanitary measure. [It requires that the persons doing such work notify the board of health within 14 days after commencing work, and that the premises be kept in a clean and sanitary condition. No license is required.]

"Very little authority is given to the factory inspection division under this law, and for this reason cases which might arise are dealt with under the child labor law and the health, safety, and comfort act. Except in child labor cases there are practically no regulations for home work in Illinois."

#### INDIANA

No previous study reported. In response to the committee's inquiry, the director of the Department of Women and Children of the Industrial Board of Indiana reported as follows (April 26, 1926):

"To our knowledge, the only industrial home work carried on in Indiana is the manufacture of chair bottoms in Perry County, located on the Ohio River. At the time of our last inspection there—two years ago—we found two firms supplying families with work of this kind. One sent out work to about 125 families, and the figures on the other plant were not secured. Unless there is home work being done of which we do not have information, you can see that there is no problem of this kind in Indiana."

*Legal regulations.*—The law prohibits the use, except by the immediate members of the family living therein, of any rooms in any tenement or dwelling house for the manufacture of specified articles of clothing, purses, feathers, artificial flowers, or cigars, and regulates this work when done by the members of the family by requiring the employer to obtain a license from the chief labor inspector, conditioned upon the observance of certain requirements as to lighting, ventilation, air space, etc.

#### IOWA

No previous study reported. In response to the committee's inquiry, the following information was given by the labor commissioner of the State (April 27, 1926):

"The State of Iowa has very little industrial home work, except, of course, that of dressmaking and a few similar industries that are carried on by the women of the home direct. In fact, there is only one industry in the State that sends into the home a considerable quantity of work to be done; this is in the button industry, which is quite extensively carried on in about four of the Mississippi River cities, but I doubt whether even this work is carried on to any extent outside of the city of Muscatine alone and there it is limited to the carding of buttons. I am unable to give the extent of this industry even there, but a considerable number of children can be found going to the factories in the morning, usually with large-sized lunch baskets in which are carried away the buttons to the homes, where the spare time of the women and children, in fact, of the entire family, is put in in carding at so much per gross. This work is even carried on by some of the church societies at their weekly or biweekly meetings, the proceeds of their work going into church activities. I know of no other industry in the State in which this is the case."

No legal regulation.

#### KANSAS

No previous study reported. In May, 1926, the director of women's work and factory inspector of the public-service commission wrote as follows:

"In our inspections over the State we have not found any industrial home work. Kansas is an agricultural State rather than a manufacturing, and there is no problem in industrial home work in this State."

In response to the committee's suggestion in the fall of 1926 that further inquiry be made, the following was reported (May 12, 1927):

"In answer to your letter in regard to suggestions about industrial home work, I have made inquiry at factories visited and find practically no home work being done. In one place where Kaw Indian curlio work is being done, ladies

call for moccasins, etc., to be beaded. This is the only place that I have been able to find. Of course, I would have no record of home work sent in from other States."

No legal regulation.

#### KENTUCKY

No previous study reported. In April, 1926, the chief labor inspector of the State department of labor wrote:

"I have made investigation and inquiries of a number of organizations who are in a position, more or less, to have knowledge of this practice carried on, and with what information I have to date, I report that we are practically free from all classes of industrial home work."

No legal regulation.

#### LOUISIANA

The only information reported as previously collected is contained in a survey of conditions of women's labor in Louisiana, made by the women in industry committee, Council of National Defense, New Orleans division and Louisiana State division, New Orleans, 1919, which touched very slightly upon industrial home work (p. 21):

"In Louisiana the consensus of opinion seems to be that sewing work given out to be done in homes is relatively harmless, and as a matter of fact goes into homes of comparative refinement and cleanliness. The facts on this ought, however, to be investigated. One case came to the survey's notice where pecans were taken home for shelling by a crippled member of a family. Whether home work with foods is common or not should be known. Wages for home work should also be studied. In the few cases which came to the survey's knowledge wages were excessively low, so as to justify the common title of 'sweatshop' work."

In response to the committee's inquiry the following information was furnished by the factories inspector of the Parish of Orleans (May, 1926):

"I am unable to find any of the manufacturers here who give out home work. In regard to pecan shelling, there are two large pecan-shelling factories here that employ 300 colored women in each factory. These factories are equipped with the latest machinery and I can not conceive of anyone working by hand in competition with them. These factories work only a part of the year and they buy the entire pecan crop. In regard to artificial-flower making, I am sure there must be some few individuals who do this work, but they do not work for any manufacturer and it is impossible for me to find these isolated cases."

Further inquiry was made by the factories inspector last winter, with the following results:

"After making a canvass of the city I have found only four concerns that give out home work. All declare that no children are employed in this work." [One of these concerns, manufacturing shirts, overalls, and pants, reported that it gave out home work to from 25 to 30 women; one pants company furnished work to 7 women; and a shirt manufacturer to 2 women. The fourth, a manufacturer of infants' wear, gave out work to about 250 home workers.]

No legal regulation.

#### MAINE

No previous study reported. In May, 1926, the State commissioner of labor reported to the committee as follows:

"I have been unable to find any instances of home employment of minors in this State. By this, of course, I mean where work is carried into the home to be done for manufacturing establishments."

In response to the committee's request in the fall of 1926 that further inquiry be made, the commissioner reported as follows (May 13, 1927):

"Since writing you on this subject I have had the inspectors sent out by this department make as much of a survey as possible of home-work conditions in the State of Maine, and I find but three localities that are affected. In the extreme eastern part of the State there are a number of families who are employed as fish skimmers. This work is connected with the preparing of smoked alewives. It is estimated that perhaps 200 adults are employed in this work during the winter months.

"In another section of the State there are several clothing factories, and we find some home work done, but to a very small degree, probably not more than

50 in all being engaged in home work. This work would be entirely adult labor.

"An investigation was also made of a concern [a handkerchief manufacturing project] located in the central part of the State, which advertises in the papers for help to do home work. The information that we secured is that practically all of the work sent out is sent to other States."

No legal regulation.

#### MARYLAND

No previous study reported. In response to the committee's inquiry, the following information was furnished by the State commission of labor and statistics in April, 1926:

"Home work in Maryland is confined to the clothing industry. We have no way of knowing what other kinds of home work, outside of the clothing industry, are carried on in Baltimore, as manufacturers of other kinds of work are not required to register their home workers with the department of labor. Nor do we know the number of firms outside of the State sending work into the homes of Maryland. We know of no agency in Maryland that has collected this information.

"Our report for 1926 shows that 1,547 clothing places were inspected (including manufacturers, contractors, custom tailors, cleaning and repairing) and that 123 of these places gave out home work. Our records at the present time show that there are 424 homes in Baltimore where homework is being done—total number of home workers, 440. No children were found working when our inspectors called. The children are generally used by their parents to carry the clothing back and forth from the factory before and after school hours."

As to legal regulation, the commissioner stated:

"The law provides that 'every employer or manufacturer, whether a person, firm, or corporation, contracting for the manufacture, in whole or in part, altering, repairing, or finishing of any articles in a tenement or dwelling house, or any room or workshop outside of his, their, or its own establishment, or giving out of materials from which they or any part of them are to be manufactured, altered, repaired, or finished, in a tenement or dwelling house, or in any room or workshop outside of his, their, or its own establishment, shall keep a register of the names and addresses, plainly written in English, of the persons to whom such articles or materials are given to be so manufactured, altered, repaired, or finished or with whom such employer or manufacturer has contracted to do same, and shall issue with all such articles or materials a label bearing the name and place of business of such employer or manufacturer legibly written or printed in English.'

"These homes are then visited by our inspectors and turned over to the local health department for further inspection. If no infectious, contagious, or communicable disease is found, and the house is in proper sanitary condition, the license is granted. [Licenses must be obtained from the commissioner of labor and statistics.] Of course, if any unfavorable condition should arise after the health department has made its inspection, the bureau has no way of finding this out unless the condition is existent when our inspector visits again. You can see here the possibility of infection existing without the manufacturer or department of labor being cognizant of the fact."

#### MASSACHUSETTS

*Previous studies.*—The Massachusetts Child Labor Committee in 1912 made an investigation of child labor in tenement industries in this State. The result of this investigation was published in the annual report of the committee, January 1, 1913. (Child Labor in Massachusetts Tenements, published in Annual Report of Massachusetts Child Labor Committee, January 1, 1913.)

Two other studies were made by the research department of the Women's Educational and Industrial Union of Boston. The first, in 1913, was in cooperation with the Massachusetts Bureau of Statistics. It was published by the bureau in 1914 under the title "Industrial Home Work in Massachusetts." (Commonwealth of Massachusetts, bureau of statistics, Labor Bulletin No. 101: Industrial Home Work in Massachusetts.) The second study was made in cooperation with the State board of labor and industries, and was published by that board in 1915 as "Licensed Workers in Industrial Home Work in Massachusetts." (Commonwealth of Massachusetts, State board of labor and industries, Industrial Bulletin No. 4.)

*Information furnished to committee.*—(Report from the assistant commissioner of the Massachusetts Department of Labor and Industries, June 29, 1927:)

"Industrial home work in Massachusetts has been regulated by statute since 1891. The enforcement of the regulations was at first under the district police. In 1907 this work was transferred to the State board of health. In 1912 it was assigned to the State board of labor and industries established by act of the legislature that year, organized August of the following year, 1913.

"The work was conducted under the home work division of the board until August, 1914, when it was discontinued on instruction from the attorney general. Since that time there has been no separate provision for this work. In December, 1919, when the former State board of labor was abolished this work with the other functions of the board was assigned to the present department of labor and industries.

"In connection with the work of the committee on industrial home work of the Association of Governmental Labor Officials, returns were secured from the industrial safety inspectors of the department of labor and industries in the spring of 1926 regarding conditions in their districts. These returns were not based on an actual investigation, but merely on the personal opinion of the inspectors. The reports indicated that for the State as a whole there is comparatively little of this work carried on in the homes. The major part of the work noted was on men's clothing, knit goods, infants' wear, hosiery, paper goods, tags, baseballs, etc.

"Information secured by agents of the minimum wage commission in connection with investigations and inspections indicated that home work in certain lines is more extensive than might be inferred from the reports of the industrial inspectors. This was particularly the case in connection with jewelry."

*Legal regulations.*—The existing regulations regarding industrial home work in Massachusetts apply to work on wearing apparel in tenement or dwelling houses, and include the following provisions:

1. Prohibition of the use of a tenement or dwelling house for this purpose by any except members of the family.
2. Requirement for a license from the department of labor and industries for families engaged in this work.
3. Requirement that persons giving out home work on wearing apparel shall keep a register of the names and addresses of the persons hired, employed, or contracted with, and forward a copy of the register monthly to the department of labor and industries.
4. Requirement that the rooms where the work is done shall be kept in sanitary condition, subject to the inspection of the department of labor and industries.
5. Requirement for prompt reporting of cases of contagious disease, and authority of department to revoke or suspend licenses.
6. Requirement for tags for articles made in unlicensed houses.
7. Penalty for violation, fine of not less than \$50 nor more than \$500.

Industrial home work on wearing apparel includes work on men's clothing (coats, vests, and pants); children's and infants' clothing and underwear; embroidery on dresses, blouses, and underwear; sweaters; knitted novelties; straw and felt hats; felt slippers; corset accessories, and similar lines. According to an opinion of the attorney general, beading, rosettes, and ornaments for shoes do not constitute wearing apparel; and a license is, therefore, not required for such work if carried on in the home.

#### MICHIGAN

No information available.

*Legal regulations.*—Law covering the manufacture in homes of specified articles of wearing apparel, purses, feathers, artificial flowers, cigars, and cigarettes requires that a permit be obtained by the person desiring to do the work from the factory inspector, issuance of permit conditioned upon certain requirements as to light, ventilation, sanitary conditions, etc. The employer must keep a register of the persons employed on home work.

#### MINNESOTA

No previous study reported. In a letter to the committee dated April 8, 1926, the superintendent of the division of women and children stated as follows:

"The industrial home work problem in Minnesota is not extensive at all in so far as we are aware of it. The only cases of home work that have come to our attention are as follows:" [The names of 10 establishments are given. Of these, 2 give out embroidery on dresses or underwear, 2 embroidery and beading on slippers, 1 aprons, 1 tags, 1 hats, 1 pennants and lodge insignia; the tenth, a manufacturer of punch boards, gives out work done chiefly by women and children on inserting and folding rows of numbers in punch boards. This factory gives out work to at least 100 families.]

In response to the committee's suggestion in the fall of 1926, that further inquiry be made, the division of women and children made a survey of industrial home workers in Minneapolis concerning which it reported (June, 1927): "The investigators interviewed 25 families whose work consisted of stringing tags for a tag factory; eight families who were beading moccasins, slippers, or bags for a firm manufacturing felt and leather goods; four families performing certain work on children's waists for a knitting mill; two families where the women were making bags for a shampoo bag company."

The families to whom home work was given by the tag factory—the only work on which children were found engaged—were visited and a report blank was filled out with reference to the work done by the children. Sixteen children under 16 years of age in eight families were reported engaged in stringing tags.

No legal regulation.

#### MISSISSIPPI

No information available; no legal regulation.

#### MISSOURI

No previous study reported. In response to the committee's inquiry the State industrial inspector wrote on May 12, 1926:

"The industrial work furnished to persons in homes or residences is negligible in Missouri. There is none in St. Joseph, practically none in Kansas City, and a very small amount of it in St. Louis, our three largest cities."

The principal types of home work in the State were reported to be as follows: "Making women's hats, men's neckwear, women's aprons and house dresses, women's shoe ornaments."

In answer to the committee's request for further information the following information was received May 7, 1927:

"We have found the amount of industrial home work in the cities of our State to be negligible. Some finishing work has been done in homes on women's silk dresses, but I have found that this work was done under sanitary conditions and by respectable, clean persons, and that the amount of it was limited. It is handwork. Also I know of a neckwear company that occasionally sends bow ties to country women. The work is done under the most sanitary, pure-air surroundings, and is negligible as to amount. These women live within the State of Missouri. The work is handwork."

*Legal regulations.*—The law requires the employer giving out home work in the manufacture of wearing apparel, purses, feathers, and artificial flowers to keep a register of the persons employed. No license is required.

#### MONTANA

No previous study reported. In response to the committee's inquiry, the chief of the division of labor of the department of agriculture, labor, and industry reported (December, 1926) that while he had no specific information on the subject he believed that the amount of home work in Montana was negligible. In May, 1927, he reported that he had discussed the matter with the factory inspectors of the industrial accident board and that they were of the same opinion.

No legal regulation.

#### NEBRASKA

No previous study reported. In response to the committee's inquiry, the following information was furnished by the State department of labor (May, 1926):

"In so far as this department is able to learn, there is very little, if any, industrial home work carried on in Nebraska. The only instance of this kind

that ever came to the attention of the writer was in the city of Omaha a few years ago, when a company farmed out some very small percentage of their manufacture of women's house dresses. This manufacturing institution has since gone into bankruptcy. So far as we know, no information on this subject has been collected by any other agency, and we can not see how it would be possible for this department to make a survey of the situation with the means at its command."

No legal regulation.

#### NEVADA

No previous study reported. In response to the committee's inquiry, the office of the labor commissioner reported in April, 1926, that while they had no specific information on the subject they were of the opinion that there was no industrial home work in Nevada.

No legal regulation.

#### NEW HAMPSHIRE

No previous study reported. In response to the committee's inquiry, the State labor commissioner stated in April, 1926:

"We have very little home work, so called, in New Hampshire. There is some chair work done in and around Keene—not enough, however, to make it a serious problem."

After receiving the committee's suggestion that further information be obtained, the commissioner wrote that he would instruct the inspectors of his department to inquire whether any home work was being done for the plants they inspected. In his final report (May 7, 1927) the commissioner stated that "outside of some chair work done around Keene there is very little home work done in New Hampshire."

No legal regulation.

#### NEW JERSEY

*Previous studies.*—In 1923 a study was made by the State department of labor and other interested agencies which called the attention of the public for the first time to the extent to which this type of manufacture prevailed throughout the State.

An account of this study and of the succeeding efforts to enforce the law is to be found in the following mimeographed publications issued by the State department of labor: "Report of the Investigation and Survey of the General Home Work Situation in the State of New Jersey, conducted under the supervision of Charles H. Weeks, Deputy Commissioner of Labor, in accordance with instructions from Lewis T. Bryant, commissioner of labor (June 1, 1923)"; "Report to Andrew F. McBride, Commissioner of Labor, in Connection with the Enforcement of the Home Work and Sweat Shop Laws in the State of New Jersey from June 1 to December 1, 1923, by Charles H. Weeks, Deputy Commissioner of Labor."

According to the latter report, 8,742 licenses had been issued up to December 1, 1923. These licenses were distributed among 243 cities and towns throughout the State, among which were many small communities.

In 1925, as one of a series of studies of child welfare in New Jersey, the Children's Bureau of the United States Department of Labor made an inquiry relative to the employment of children in industrial home work in Newark and six other communities in which home work was reported by the State authorities. The families were located through a canvass of children under 16 attending the public schools. The homes of all those who reported some form of factory home work were visited and such children and their parents interviewed as had been engaged in industrial home work for one month or more during the year preceding the interview. In Newark 459 families, in which there were 849 children under 16 who had done industrial home work, were interviewed, and in the other six communities 169 families doing home work, in which there were 282 children under 16 who had done industrial home work.

The children were doing many kinds of work, chief among which were "finishing men's clothing," embroidery and beading women's dresses, sewing powder puffs, stringing tags, embroidering and scalloping handkerchiefs, cutting lace, making artificial flowers, and making dolls' clothes. Almost one-fourth of the children who had done industrial home work in these families were under 10 years of age and almost four-fifths were under 14.

*Information furnished to committee.*—(Letter from the deputy labor commissioner of the State, April 16, 1926:)

"Our records show that we have approximately 650 employers who give out home work in New Jersey and that during the year 1925 this home work was distributed to 4,147 homes. Fifty-four applications were rejected during this period." [The principal industries for which licenses were issued were as follows, in the order of their importance: Embroidery and laces; infants' and children's clothing; bead work; men's and boys' clothing; flowers; safety pins; powder puffs; dolls and dolls' clothing; dresses and suits; silk and silk picking; shirts; tags; hulling fruit; badges, buttons, emblems, etc.; Christmas cards, seals, etc.; neckwear; underwear; crochet and knit wear, sweaters.]

"The records on file in this department show that 13 New York concerns are listed in our files as distributing work in New Jersey. We find that 209 home work licenses have been issued to workers in New Jersey employed by these firms. Four Philadelphia concerns are also listed as distributing work in New Jersey and 133 licenses have been issued to their workers. The period taken is from January 1, 1925, to December 31, 1925. Most of this work is distributed in small towns, rural sections, and the seaside resorts during the quiet season. There is practically no work from New York distributed in the larger towns, the home workers in cities where considerable manufacturing is done depending on their supply from local manufacturing establishments. The largest amount of this work from outside the State appears to be knitted booties and infants' wear; work on dolls and dolls' clothing is next, and underwear, hat ornaments, sanitary goods, and paper novelties account for the remainder of the licenses issued."

More recent information reported for New Jersey by the deputy commissioner of labor is as follows (May, 1927):

"Present indications are that our records for this year will show a decrease in the total number of home work licenses issued. At the present time 2,400 have been issued. During the fiscal year 1925-26, 3,599 home work licenses were issued. I presume that this decrease is due in large part to the rather general industrial depression in New Jersey and not to any change of policy on the part of the manufacturers giving out home work or to any marked improvement in the circumstances of those doing the work."

*Legal regulations.*—Before the use of any rooms in a tenement or dwelling house for the manufacturing, altering, or repairing of any articles, a license, the granting of which is conditioned upon compliance with certain standards as to light, air space, sanitation, etc., must be obtained from the commissioner of labor either by the family wishing to engage in the work or the employer wishing to distribute it. The manufacture of certain articles—food, dolls, and dolls' clothing, and children's and infants' wearing apparel—is entirely prohibited in a tenement house any part of which is used for living purposes, but licenses may be issued for such work in one-family or two-family houses.

#### NEW MEXICO

No information available; no legal regulation.

#### NEW YORK

*Previous studies.*—A report on manufacturing in tenements, submitted in 1924 by the New York State Industrial Commissioner to the State commission to examine the laws relating to child welfare, states as follows:

"In 1913 the factory commission [the factory investigating commission established by the legislature in 1911] made a study of manufacturing in tenements, and as a result of its findings a law was passed prohibiting the manufacture, alteration, or repair of any article of food, dolls or dolls' clothing, or infants' or children's wearing apparel in any portion of an apartment used for living purposes. There was also passed an amendment to the labor law prohibiting the employment in tenement houses of a child under 14 years of age in any work for a factory, whether directly or indirectly, through the instrumentality of one or more contractors or third persons.

"The factory commission also considered the question of complete prohibition of manufacturing in tenements. The commission in its report said: We realize that manufacturing in tenement houses is a serious evil; that it is, in fact, a

blot on our industrial system. It is to be condemned because it is injurious to the health of the women and children directly engaged in this work and because it unjustifiably invades their homes. Moreover, the health of the public using such products is endangered. From an economic point of view its continuance is unjustified; it undermines the wage scale of the factory workers; it is wasteful both of human labor and of material.

"The commission stated, however, that it did not feel justified in recommending that the whole system be rooted out at once and suggested that the industrial board make investigations from time to time to ascertain the conditions under which manufacturing in tenement houses was carried on. It suggested that the list of prohibited articles be added to periodically and stated that if further investigation showed after a few years that the evils could not be corrected, tenement house manufacturing should be abolished in the interests of the home workers, of the dwellers in tenement houses, and of the public at large.

"As the result of the factory commission's report, considerable improvement was made in the administrative machinery dealing with this subject in the labor department. It is regrettable, however, that the factory commission's advice about the necessity of continuous investigation and study of this subject was not followed. An unsuccessful attempt was made in 1917, at the suggestion of various labor and social organizations, to add to the list of prohibited employments. The bill did not pass the legislature." (Report on Manufacturing in Tenements Submitted to the Commission to Examine the Laws Relating to Child Welfare, by Bernard L. Shientag, State industrial commissioner, March, 1924, pp. 4, 5.)

In 1923-24, at the recommendation of the industrial commissioner, an investigation of manufacturing in tenements was made by the commission to examine the laws relating to child welfare, created by the legislature in 1920 (Third Annual Report of the New York State Commission to Examine Laws Relating to Child Welfare, pp. 10-13, 33-80). The commissioner states in his summary<sup>1</sup> of this report:

"Two thousand one hundred and sixty-nine families were investigated, of whom 273 were in 13 communities outside of New York City. Over 60 different kinds of articles were found manufactured in tenement homes. Certain of the articles, such as men's clothing, artificial flowers, and the carding of buttons, are the types of work in which children are able to assist. In New York City the report shows that illegal child labor is the most serious feature of the home-work system, although it would appear that the proportion of children so employed is probably smaller than in former years. Of the 2,169 families studied there were 1,591 with children over 5 and under 16 years of age, and 563 having no children between these ages. In 359, or 22 per cent of the families, 535 children between 5 and 16 years of age were reported as working in the homes." [The report showed that 79 per cent of these children were under 14 years of age (the legal minimum age) and 35 per cent were 10 years of age or under.]

One of the commissioner's recommendations was that a bill be introduced extending the list of prohibited employments and adding to such list toilet articles, artificial flowers and feathers, and hat ornaments, and that this list of prohibited employments should be added to from time to time. (Bills of this kind have since been introduced in the New York Legislature, but have failed to pass.)

*Information furnished to committee.*—(Report from the director of the bureau of women in industry of the department of labor, June, 1927:)

"The director of the bureau of women in industry is responsible for the enforcement of the home work law and also for the research within the department of labor that has to do with the employment of women and children. Statistics showing the extent of home work in the various industries are published from time to time in the Industrial Bulletin, the monthly magazine of the department. These figures show the number of firms giving out home work, the number of home workers employed, the industries using home workers, the number of firms sending work outside the State, and the States to which work is sent. In the annual report of the bureau figures are given showing the number of licensed tenements in the State, the number and nationality of home workers found employed by inspectors, and the number of children found at work in tenement homes. In addition, the bureau has made an intensive study

<sup>1</sup> This summary is included in the report cited above (pp. 5-7).

of home work in the men's clothing industry in New York City and Rochester. (Special Bulletin No. 144, copies of which will be sent upon request.) This report analyzes the importance of home work in this industry by showing the ratio both of home workers to factory workers and of the home work pay roll to the factory pay roll; it also traces the trend of home work employment over a five-year period.

"The policy of the bureau in making such studies has been to place the responsibility for the existence of home work upon the parties which are most concerned and also to reemphasize the extent to which home work exists under modern industrial conditions. In addition to the research work the bureau of women in industry has circularized trade-unions, schools, social agencies, and other groups with pamphlets which state in simple form and in different languages the home work law. These special leaflets are published and distributed with the idea that there are large groups of people who do not know of the existence of such a law nor of its regulations.

"As far as the inspection work is concerned, the inspectors have completed for the fiscal year ending June 30, 1927, an inspection of all the licensed tenements in this State. The law requires that each tenement house be inspected twice a year, and this has been done. In addition to this, the inspectors have been taken out of their regular districts and turned into flying squadrons to inspect unlicensed tenements to see to what extent work is going on there. Out of 1,635 so visited, home work was found in 76 of them. These houses were, of course, required to secure licenses and comply with the regulations before home work could be continued. In addition to this effort, advertisements in the daily papers are watched very carefully, and if a firm that has no permit to give out home work is found to advertise for home workers, the case is immediately investigated.

"There is no way in New York State of measuring the effectiveness of our law nor of our method of inspection, since it would require an inspector on the doorstep of every tenement 24 hours of the day to really know what is going on."

*Legal regulations.*—Every employer must secure a permit from the State department of labor before sending work into a tenement house, and the owner of a tenement house must secure a license from the State department of labor before industrial home work can be done there. The granting of a license is conditioned upon compliance with certain conditions as to sanitation, air space, etc., and tenement houses used for manufacture shall be inspected not less than once every six months. All firms sending work into tenement houses to be manufactured, altered, or repaired must register with the department of labor the names and addresses of all persons to whom such goods are given.

None of the following articles may be sent into a tenement house to be altered, repaired, or finished: Articles of food, children's and infants' wearing apparel, dolls and dolls' clothing.

Children under 14 years of age must not be employed at industrial home work, and children between 14 and 16 years of age must obtain working papers and must not work before 8 a. m. or after 5 p. m.

#### NORTH CAROLINA

In answer to the committee's inquiry the executive officer of the State child welfare commission wrote in April, 1926:

"I am pleased to inform you that sufficient investigation has been made to state that home work exists in the State and that there is a limited amount being sent into the State. Some material facts have been secured relative to this work and with the view of more completely following up the study during this year."

In sending in his final report to the committee in May, 1927, the above-mentioned official wrote:

"It was my hope to extend our study on the material at hand and furnish you with more complete information as to earnings and classes of work covered by our last biennial report. I find that our appropriation, however, will prevent us from providing the additional expense at this time. It will be necessary for me to refer you to our last biennial report for the volume of information we have available for you at present, for the work in North Carolina."

This study, summarized on pages 147 to 149 of the biennial report of the commission for 1924-1926, was made in six counties of the Piedmont and mountain sections of the State. Visits were made by two registered nurses especially engaged for this purpose to 107 families engaged in the stringing and tagging

of bags. It was reported by the companies manufacturing these products that only 25 per cent of the work was given out to homes, the other 75 per cent being handled by machinery in the factory. "In 28 families, or 29 per cent of the [white] homes, no children were found, and in 20 families, or 20 per cent of the homes, the children were too young to engage in work. This is approximately 50 per cent of the homes in which the work is accomplished entirely by the adults. The investigation did not disclose a home where other children were solicited to come in and help with the work. Not a single home visited was considered in such a condition as would affect the health of the family, nor was there found a single malignant disease or any evident symptoms of contagious disease."

No legal regulation.

#### NORTH DAKOTA

No previous study reported. In response to the committee's inquiry, the commissioner of agriculture and labor reported in December, 1926:

"The questions [as to industrial home work] are hardly applicable to North Dakota. We believe there is no home work sent into the State by manufacturers of other States, nor any home work done in this State for manufacturers in the State. Our conditions are agricultural and not industrial."

No legal regulation.

#### OHIO

No previous study reported. In response to the committee's inquiry the director of the State department of industrial relations requested the division of workshops and factories of the department to make an inquiry through its field representatives. The report of this inquiry submitted to the committee (May, 1926) was as follows:

"Enclosed please find a report from our division of workshops and factories which I believe you will find self-explanatory. This specific line of work gives us practically no concern in Ohio, and to the best of my knowledge we have never had a complaint registered pertaining to same."

#### *Report of division of workshops and factories*

"As per your request we have gathered the following information relative to home work and home workshops:

"*Columbus*.—Very few home workers; some small tailor shops. ——— Co. at rush periods, approximately 30.

"*Central Ohio*.—Found no workshops or home workers.

"*Zanesville*.—A number of small tailor shops have one or two women doing work in their homes. Stripping of tobacco for small manufacturers of cheap stogies done in homes. At Athens manufacturer of woolen pennants has greater part of work done in homes.

"*Cleveland*.—Small percentage of work on sweaters and embroidery for dresses done in homes, not more than 100 workers, spending possibly four hours per day.

"*Toledo*.—One company had some knitting nets to cover atomizer bulbs. Handwork.

"*Cincinnati*.—Some home workers for tailor shops. Estimated at 200 working from two to four hours per day.

"*Springfield*.—Very few home workers. Manufacturers of cotton work gloves at times have parts of work done in homes. A publishing company has about 100 (mostly former employees who have married) addressing envelopes at home.

"*Northeastern Ohio*.—No home workshops or home workers.

"*Akron*.—No home workshops or home workers."

In response to the committee's suggestions made in the winter of 1926-27 that further information be obtained, the director wrote as follows (May, 1927):

"I have again made a careful check with our lady visitors who are in the field, and they advise that they find little, if any, of this form of employment existing here."

*Legal regulations*.—The law merely prohibits the manufacture of certain articles of wearing apparel, artificial flowers, purses, feathers, and cigars in any tenement or dwelling house except by the immediate members of the family living therein. No license is required.

## OKLAHOMA

No previous study reported. In response to the committee's inquiry, the commissioner of labor made a brief survey and reported as follows in April, 1926:

"We have been unable to find where industrial home work is carried on in this State except in a few isolated instances. We know of a few cases during the winter months, where families took quantities of nuts home for the purpose of picking them out and thus earning additional funds. We also know of one instance where employees in a woman's shop took home articles to be made at night. However, as the above instances constituted a violation of our State laws, this department promptly put a stop to same."

In May, 1927, the commissioner reported that no further information was available, for two reasons: "First, that we have no knowledge of a great deal of this class of work being done in Oklahoma, and second, our field force is so limited that we are not in a position to make a survey for the purpose of ascertaining the true situation."

*Legal regulations.*—As to legal regulation, the commissioner stated:

"When the problem is approached properly, we have held that the woman's nine-hour-a-day and fifty-four-hour-a-week law and the child labor law are sufficient to discourage industrial home work."

## OREGON

No previous study reported. In response to the committee's inquiry, the State labor commissioner and the secretary of the industrial welfare commission reported that there was little, if any, home work in that State. As stated by the latter official (May 17, 1926):

"We have but little home work and in such intermittent periods that so far the situation has not demanded a fixed rule as to various types of industries. In one of the knitting mills several women took home sweaters to finish and the industrial welfare commission required the minimum time rate—27½ cents an hour—and when the custom seemed to threaten any growth the manufacturer was told that he would be compelled to estimate all home work as overtime. That stopped it. We have recently had another case of shelling almonds in connection with a candy factory. The work must average 27½ cents an hour—minimum time rate—and overtime if the women work in the factory in the daytime the regular number of hours. It is a very small concern."

*Legal regulations.*—There is no law specifically regulating industrial home work. The above letter from the secretary of the industrial welfare commission states as follows:

"The law creating the industrial welfare commission (minimum wage board) gives it authority through which we have control of any situation concerning women and children in industry." [This law gives the commission power to fix standard conditions of labor for minors under 18, and women.]

## PENNSYLVANIA

*Previous studies.*—A study of industrial home work in Pennsylvania was made in 1916-1917 through questionnaires sent to employers in those industries known to use home workers, and supplemented by a brief survey made in 1920. In 451 firms giving out home work, 12,394 home workers were reported. The chief industries using home workers were men's clothing, hosiery, and knit goods, tobacco, women's and children's clothing, rag rugs, silk goods, paper goods, gloves, and other leather industries. Visits were made to 1,113 homes, and in 209 of these homes a total of 401 children under 14 were found engaged in home work—chiefly in stripping tobacco and in work on hosiery and knit goods, men's clothing, and rag rugs. (Industrial Home Work in Pennsylvania, by Agnes Byrnes, Ph. D., published by the department of labor and industry, pp. 18, 64-66.)

*Information furnished to committee.*—(Report from the director of the bureau of women and children of the department of labor and industry:)

*Legal regulations.*—Industrial home work regulations effective in Pennsylvania since October, 1925, provide that—

1. The conditions of work in private homes shall be (a) clean and sanitary; (b) in accordance with the provisions of the women's labor law and child labor law.

2. The observance of these conditions shall be the responsibility of the owner of the goods, together with an authorized representative in the home who is appointed by the employer.

3. To insure the observance of these regulations any employer who gives out home work shall (a) secure a license from the department of labor and industry; (b) place on each package of work sent out a label bearing his name and address; (c) furnish quarterly to the department of labor and industry a list of the names and addresses of all persons to whom he gives work.

Administration.—Since the labor supply in industrial home work is essentially one of women and children, and since the effective administration of the industrial home work regulations was felt to involve continuous investigation and education rather than routine inspection, the administration of the home work regulations was turned over to the bureau of women and children when the regulations went into effect.

A special investigation staff consisting of five full-time workers has been responsible for the enforcing of the home work regulations. The procedure of the bureau of women and children in the administration of the home work regulations has been as follows:

1. To interview every home work employer in order to assist him in developing the necessary organization to bring his distribution of home work up to legal standards.

2. To investigate a representative number of homes in which the employer's work is being done to determine whether the work is carried on under legal conditions.

Scope of home work.—There have been 1,100 home-work employers licensed to give out home work. Sixty of these are out-of-State employers. There are approximately 12,000 home workers listed by these employers.

Research.—The research work of the bureau has had for its purpose the education of the employers as to the State's regulations and the gauging of the State's home-work problem.

The following is a summary of the reports on industrial home work prepared by the bureau:

1. "Industrial Home Work and Child Labor," Special Bulletin No. 11, Department of Labor and Industry, 1926.

A study of the illegal employment of children on industrial-home work: 50 per cent of the families with children under 18 were in 1924 permitting children to work illegally on home work; more than three-fourths of the illegally employed children were under 14 years of age.

2. "The First Year's Administration of the Industrial Home Work Regulations," Department Bulletin, March, 1927.

The results of the first year's enforcement of the home-work regulations by the bureau of women and children; an encouraging reduction in the illegal employment of children on industrial-home work was found. The proportion of families permitting their children to work illegally on home work had been reduced from 50 per cent in 1924 to 23 per cent in 1926. The encouraging drop in the proportion of illegally employed children, more outstanding in some industries than others, was as follows:

Industry	1924	1926
Tags-----	90.8	41.4
Women's and children's clothing-----	50.3	27.4
Men's clothing-----	44.3	25.8
Knit goods-----	29.2	17.4
All industries-----	50.0	23.5

3. "Why Industrial Home Work." Department Bulletin, April, 1927.

The economic causes found to be motivating the employers to give out home work were: Reduction of overhead, lower wage rates, and the need of extra help during seasonal rush periods.

The earnings of more than three-fourths of the home workers were found to be an essential part of the family budget. In only approximately 10 per cent of the homes were home workers persons incapacitated by reason of physical disability or old age from employment at regular factory work.

4. "The Labor Policies of Home Work Employers." (In preparation.)

Legal regulations.—See under "Information furnished to committee," paragraph 1, above.

## RHODE ISLAND

*Previous studies.*—Industrial Home Work of Children: A study made in Providence, Pawtucket, and Central Falls, R. I., Bureau Publication No. 100, Children's Bureau, United States Department of Labor, Washington, 1922. This study was made in 1918. From the information obtained from the various sources by the bureau's investigators it was found that at least 5,000 children under 16 years of age (or about 7.6 per cent of the total child population between 5 and 16 years of age) had been engaged in home work during the year 1918. Detailed information regarding the kind and conditions of work, rates for pay, and family earnings was obtained for the 2,338 children, representing 1,042 families, who had been engaged in home work for 30 days or more during 1918 and who had received compensation for their work. "Of these 2,338 children, for all of whom detailed information was secured, 4.1 per cent were under 6 years of age, 45.7 per cent were under 11, and 86.2 per cent were under 14" (pp. 8, 11).

"The children worked on about 100 varieties of factory work, distributed by 21 industries. The principal home occupations of children, in the order of their importance, were carding snaps (dress fasteners), stringing tags, drawing threads on lace, linking and wiring beads, setting stones, working on military buttons, carding shoe buttons, finishing underwear, carding jewelry, and putting together chain fasteners. This work consisted of very simple processes constantly repeated. Ninety-one children, however, worked on machines" (p. 12).

"Twenty-one industries of Providence and Pawtucket used home work as a part of their system of production. Of these the jewelry industry was by far the most prominent; of the 153 firms which made a regular practice of distributing home work, 91 were jewelry establishments" (pp. 13, 14).

"It was reported that the standards set up by the State of Rhode Island for school children and children working in factories were violated by home working children in the following cases: Children of school age remained at home for extended periods or for a day now and then to do home work, contrary to the compulsory education law of Rhode Island; children under 14 did factory work at home, though the law prohibited them from working in factories; women and minors under 16 employed in factories did overtime work at home, contrary to the spirit of the law limiting hours of work; and children injured in the course of home work were deprived of compensation under the workmen's compensation law. It was found that almost three-tenths of the home working children between 9 and 13 years of age who reported their school grades were retarded, one-tenth of them being 2 or more years below what is commonly accepted as the standard for their ages" (p. 13).

*Information furnished to committee.*—(Letter from the chief factory inspector of the State, April 12, 1926:)

"We have no home-work problem. It does not come under our supervision. There is no law governing the matter. We have no means of knowing how extensive it is. As far as I know the principal places are jewelry and lace manufacturing establishments."

No legal regulation.

## SOUTH CAROLINA

No information available; no legal regulation.

## SOUTH DAKOTA

No previous study reported. In response to the committee's inquiry the State industrial commissioner reported as follows (December 11, 1926):

"I am sorry to say that there is no practical way to find how much home work is being done in South Dakota. As we have no factory inspectors, there is not that source to draw upon, and there is no way that I know of to secure the information you desire. There may be some such work done in the State, but the manufacturing interests are so limited along any line wherein home work could be done. \* \* \* I think very little work of the character you inquire about will be found to exist in this State."

No legal regulation.

## TENNESSEE

No previous study reported. In answer to the committee's inquiry, the chief, division of factory inspection, State department of labor, reported (May, 1926) :

"I have taken this matter up with our district factory inspectors and have received reports from them as follows: Our inspector of Chattanooga states that he found one hosiery mill that has some work done in private homes, such as handwork and crocheting on hosiery; and one men's and boy's clothing manufacturer that let work out to be done in homes. This is about the only kind of work done in homes in this part of Tennessee. Our inspector of Memphis reports that he has made a thorough investigation and found no establishment in that territory that sends out work to the homes of people to be manufactured or repaired. He has no record of any kind of work of this kind going on in the western part of the State. Our inspector of east Tennessee claims he has no record of any kind of work being sent out from the different establishments to the homes of people to be manufactured or repaired. We have no record of any work being sent into this State by manufacturers of other States."

*Legal regulations.*—The above-mentioned report from the chief of the division of factory inspection, department of labor, states as follows:

"Our State labor laws cover [industrial home work] \* \* \* and also state [that] for articles to be manufactured, repaired, or finished in any room, apartment, or tenement, said apartment or tenement or room must be well lighted, and should at least contain 500 cubic feet of air space for every person working therein." [The person doing home work must notify the board of health within 14 days of the time of commencing work. No license is required by the law.]

## TEXAS

No information available; no legal regulation.

## UTAH

No previous study reported. In answer to the committee's inquiry, the chairman of the State industrial commission reported (April, 1926) that there was no industrial home work in Utah. However, in December, 1926, in response to the committee's suggestion that further information be obtained, the chairman requested the chief factory inspector of the commission as follows:

"Hereafter in every inspection where home work is possible make the following inquiry: 1. Is work given out by the employer to be done in the homes of the employees? 2. If so, during what seasons of the year? 3. The extent of work done annually at home: (a) In hours. (b) In cost."

No report of the results of this inquiry has as yet been received by the committee.

No legal regulation.

## VERMONT

No previous study reported. In response to the committee's inquiry, the State commissioner of industries stated (April, 1926) :

"We have no information available on this subject, and no means at hand for obtaining the same as we lack both funds and personnel for making such survey as is suggested.

"I know of one toy manufacturing concern which has put out some assembling work at times in homes in the village where it is located, and I am informed that something of this kind has been done by shirt manufacturers to a limited extent. Our factory inspectors have come in contact with very little industrial home work, and it is my opinion that there is very little in the State."

No legal regulation.

## VIRGINIA

No previous study reported. In answer to the committee's inquiry the director of the women and children's department of the State bureau of labor and industry wrote in April, 1926:

"This department has never made a study of industrial home work in the State, and I know of only two establishments within the State that put out

work to be done in the home; one is a glove factory and the other is a hosiery mill. I understand that firms outside the State send in machines and yarns from which hose are made, but to what extent this is done I do not know. It may be possible within the next few weeks to investigate these two industries where home work is done, and, if so, will be glad to let you know the results of the investigation."

On May 24, 1926, letters from the two establishments mentioned above were forwarded to the committee. The knitting mill reported that at that time business being poor, no work was being sent out to the homes. The glove manufacturing concern estimated that approximately one-fourth of their sewing was done in the homes and stated that this was the only part of the work done outside the factory.

No legal regulation.

#### WASHINGTON

No previous study reported. In response to the committee's inquiry the director of the State department of labor and industries requested the supervisor of women in industry of this department to make an inquiry into the matter of industrial home work in that State. Following is her report to the director (May, 1927):

"At your request I made a point of asking the factory managers how much work was done and how many women were engaged in home work. I found only two garment factories in Seattle that send out work. This work consisted of embroidering patterns on house gowns, and an investigation revealed that the women kept no record of their time and have no complaint to make of the pay they received.

"I have received one letter from a woman outside of the State requesting information as to where she could obtain home work. I have also received a request from a business firm outside of our State asking what form was required by this department if they placed home work in this State. We told them that we required every three months the names and addresses of the women so employed. From time to time I have noticed advertisements in Seattle and Tacoma papers suggesting home work for women, but in answering one of these I found it to be merely an effort on the firm's part to sell material instead of offering home work.

"In my opinion the amount of home work done in this State is very small."

*Legal regulations.*—There is no law specifically regulating industrial home work. The minimum wage law gives the industrial welfare committee of the department of labor and industries power to establish standard conditions of labor for women and minors.

#### WEST VIRGINIA

No previous study reported. In answer to the committee's inquiry, the commissioner of labor wrote in April, 1926, that there was no home-work problem in West Virginia. In response to the committee's suggestion that further inquiry be made, the commissioner had a closer survey made, the results of which were reported as follows (May 6, 1927):

"Since our last report to you our inspector has made a survey of labor conditions in West Virginia and finds that there is no industrial home work in this State in any of the manufacturing establishments over which our department has jurisdiction."

No legal regulation.

#### WISCONSIN

In response to the committee's inquiry with reference to industrial home work in Wisconsin, the following information was furnished by the field director of the bureau of woman and child labor of the industrial commission (April, 1926):

"Previous to the 1921 session of the legislature, Wisconsin had a home work law similar to that of other States, which was passed primarily for the protection of the consumer. It provided that home work could be carried on in dwellings which complied with specified requirements of space, ventilation, and sanitation. The other serious evils of home work—child labor and low wage—were not touched by the old law.

"The law was amended in 1921 to provide that no owner or lessee of any factory, nor any manager or agent of such owner or lessee, and no contractor doing work for any factory may contract with any person to manufacture, alter, or repair, or finish any article in homes unless there is first secured from the industrial commission a permit authorizing the factory or contractor to engage in home-work manufacture. The granting of this permit is conditional upon compliance with the minimum wage law and the child labor law.

"Before a permit is granted to send out home work the commission must be assured that these laws are complied with by the factory. If the permit is granted and later a violation is found to exist, the permit may be recalled.

"The greatest difficulty in administering the law is in determining whether the piece rate given for home work is adequate to yield the minimum rate prescribed by order of the commission.

"The industrial commission is not opposed to home work, but insists that the rate paid should be adequate. The fact that the home worker may be satisfied with the rate does not mean that it is adequate, as the worker is often not in a position to seek out other opportunities for home work and she considers a little work better than nothing.

"The reinforcement of the home-work law led to the checking of several hundred firms to determine whether or not they are engaged in home-work manufacture. The result of this check showed the knitting and clothing industries to be those most commonly using home workers. Among the permits issued to Milwaukee firms, 17 were to knitting companies, 14 to clothing concerns or tailors, 5 to leather companies, 3 to hosiery, 2 to department stores, and 2 to lace-paper companies."

*Legal regulations.*—See paragraphs 2 and 3 of above statement. The field director also stated (May, 1926):

"We do not issue permits to children under 17 years of age to engage in home work, and we make it the responsibility of the employer to see that the work given out in the homes shall not be done by children in the homes. If we do find that work is being done by children, the [employer's] permit is revoked."

#### WYOMING

No previous study reported. The State labor commissioner reported (April, 1926) that Wyoming has no industrial home-work problem.  
No legal regulation.

[On motion, the association voted to adopt the report and continue the committee on industrial home work; also, that a session of the next convention be given to the subject of home work and that all the States be requested to report on this subject at the 1928 convention.]

The CHAIRMAN. We have all been very much interested in the work that Pennsylvania has been doing of late, so we asked Miss Carr, who is director of the bureau of women and children in the Pennsylvania Department of Labor and Industry, to talk to us on the work of a bureau of women and children.

### THE WORK OF A BUREAU OF WOMEN AND CHILDREN

BY CHARLOTTE CARR, DIRECTOR PENNSYLVANIA BUREAU OF WOMEN AND CHILDREN

I have not prepared a written address to-day, as had been requested, but have given considerable thought to the subject assigned to me. If there were one defined line of activity for a women's bureau, you would find that Pennsylvania had a bureau which was an attempted duplication of the bureau of women in industry of the New York Department of Labor. I went to Pennsylvania from the New York Bureau of Women in Industry, and, having utmost belief and respect for the New York work, should have attempted to imitate it had it fitted into the problems in Pennsylvania. I am persuaded,

however, that women's bureaus are going to have to develop along different lines in different States in order to meet the types of problems that each State has to handle and to face the variations in regulations and laws in these States. Anything that I have to say about the work of the Pennsylvania Bureau of Women and Children, therefore, will not necessarily apply to conditions or to results as they could be accomplished in any other State.

It was a temptation to take this opportunity to give a sort of annual report on the work of our bureau. We are new brooms. We have swept clean and believe we have some outstanding accomplishments to our credit. I have refrained from such a report, however, because it is clear to me that we are too close to our own work to evaluate it in the way that a group of this kind should be evaluated.

It seemed to me that to this group it would be more to the point to try to answer the question that comes to me so often in Pennsylvania and in other States as well: Just where does a bureau of women and children fit into a department of labor and industry? After all aren't women and children people? Aren't they reported on by the bureau of statistics? Aren't they compensated by the bureau of compensation? Aren't they rehabilitated by the bureau of rehabilitation? Aren't they employed through the employment bureaus, and so forth? Why a women and children's bureau?

The outstanding service of such a bureau, to my mind, is its opportunity to focus the work of all the bureaus in the department of labor to the common end of better work conditions for women or for children in the State. As an illustration of how the Pennsylvania Bureau of Women and Children serves to bring together the best efforts of all the department bureaus for the protection of children in industry, I should like to cite the service we have instigated for the prevention of accidents to minors.

When the bureau was first established the department of labor and industry had practically no available information regarding accidents to children. We asked our bureau of statistics to make a report for us embodying all the information usually presented for compensated cases, but offering it separately for minors under 18 years of age. The findings of that report have been available to us for some time and have shown us that if we are to do effective accident-prevention work for minors we must have much more specific and much more current information than such an annual report can offer. We realized that the report could not give us the details regarding the kinds of machines on which children were injured which would inform us as to the advisability of prohibiting the employment of children on these machines, and that it indicated the possible illegal employment of children only after it was too late to take action with the employer so as to prevent further illegal employment of children in his establishment.

In Pennsylvania every industrial accident requiring the loss of time of two days or more must be reported to the department of labor within 30 days after the accident. Our bureau arranged that all such cases occurring to minors under 18 be referred to the bureau of women and children daily for review. Within the last six months 10 per cent of all the accidents reported for minors under 18 after being reviewed by our bureau have been referred to the bureau of

inspection for further investigation. Either we felt it necessary to get more detailed information regarding the cause of the accident (we suspected the illegal employment of the child) or the circumstances surrounding the accident were such that we felt the employer should be given specific directions regarding any future operation of the machine on which an injury had occurred.

The bureau of inspection has done a perfectly splendid job in following up these accident cases. Using the specific accident as an example, the inspectors have been able to teach safety methods to a number of plants that could not have been taught in any better way.

Following the reports of the factory inspectors, the bureau of industrial standards has made special investigation of certain machines on which children have been injured. In some instances it has recommended guards which have made these machines safe for minors. In other instances it has recommended to the industrial board—and the industrial board has acted—that certain machines should be prohibited to minors.

But the most outstanding result from the investigation of the special cases referred by the bureau of women and children has been the opportunity which it has offered for checking those cases where children have been injured while illegally employed. The proportion of all our accidents to children under 18 known to involve illegal employment is 5 per cent. We can not say whether this is a bad situation or a good situation. I do not know of any State that has figures with which our figures can be compared. We do know, however, that within a year's time the proportion of illegally employed children who have been injured has been reduced from 8 per cent to 5 per cent. This reduction in itself is not outstanding, but at least we now have a gauge by which we can watch from month to month and from year to year whether or not the number of injured children illegally employed is being increased or reduced.

Not only has our bureau of factory inspection and bureau of industrial standards taken an active part in our accident prevention service for children, but our bureau of compensation has made an important contribution as well. In Pennsylvania children are not compensated for injuries received when illegally employed, although they have the legal right to sue their employer in case of injury. It has been a matter of real concern to the bureau of women and children to know the number of children who have been injured and not eligible for workmen's compensation, and to learn whether these children through independent legal means have received payment for industrial injuries. We are now in a position to follow up each case of illegal employment and find out whether or not the child is compensated. It has been very interesting to us to learn that insurance companies have been paying compensation when children are illegally employed, although it has not been incumbent on them to do so. Indeed, in a six-month period, out of 88 cases where compensation would have had to be paid had the accident not occurred when the child was illegally employed, only 5 were cases in which insurance companies did not pay the full compensation. An even more significant finding is that in not one of these cases where compensation was refused did the children's family bring suit for damages or redress for the injury which occurred. In other words, the decision

that children illegally employed should not come under the compensation law, on the theory that they had the right to sue and therefore to get more money than would have been available to them under compensation, is only a theory. When they fail to get compensation under the compensation law, quite evidently they fail to get any compensation at all.

By receiving daily reports on all accidents to minors under 18, we have been able to assist the bureau of rehabilitation in its efforts to train persons for work for which their injury would not disqualify them. The urgency of intelligent rehabilitation service for the young injured worker is unquestioned and the further light which our bureau can give on cases of accidents is an asset to the rehabilitation bureau.

The department's accident-prevention program for children under 18, instigated by our bureau, is therefore in the best sense of the word a department program contributed to by the bureau of inspection, the bureau of industrial standards, the bureau of statistics, the bureau of rehabilitation, and the compensation bureau.

I think our employment bureau has not as yet been drawn into this service. As yet we have not called on our bureau of mediation, but with both of these bureaus the bureau of women and children has cooperated in other and important services. The bureau of mediation has called on us in cases of strikes where women were involved that we might assist in getting the kind of information that would put the mediators in a position really to know both sides of the issue in strike cases. The employment bureau asked for our recommendation when for the first time it was requested to find women for jobs as taxi drivers. Following the assurance from the employer that women under 21 years of age would not be employed as taxi drivers, that their work would not be late night work, and that the hour law for women would be observed, our bureau has recommended and encouraged employment of women as taxi drivers.

Mr. Ballantyne impressed me at the dinner the other night when he said that the effectiveness of any administrative work depended upon our ability to get other agencies to work with us. If it had not been possible for our bureau to get the cooperation of the other bureaus in our department, we could not have functioned at all. When I talk about Pennsylvania's efforts to raise standards of work for women and children I like to feel I am talking not about the functions of a bureau of women and children but about the activities of the entire department of labor and industry. Our bureau asks for full credit for the work which it has initiated, but it realizes that it could not have gotten anywhere in its activities without the active assistance of the other bureaus in the department.

### EXPERIENCE SECTION

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

The CHAIRMAN. The experience section is an experiment this year. The suggestion had been made that it might be of interest, in addition to the formal papers and accounts of work accomplished, to give

over a session to quiet informal discussion of some of the everyday problems of a labor department with opportunity for exchange of opinions and experiences. This morning's session is an attempt to afford such opportunity with respect to a few of the problems concerning woman and child workers.

It seems appropriate, therefore, to refer to Miss Anderson, Director of the United States Women's Bureau, the question as to the most effective means of meeting the objections to special legislation for working women.

MISS ANDERSON. Perhaps if we think a little bit of what is the opposition to special legislation for women in industry we will find that there are practically two major oppositions. The first is by the employers themselves. That is a common opposition, I think. Then we have developed in the last few years the so-called feminist party of America who are opposed to special legislation. They are opposed to it because, they claim, it throws women out of employment, and that women do not have the same chance as men in employment. That, of course, is a theory I might answer in the words of the industrial commissioner of New York, who had this topic before him and investigated, I think, very thoroughly along that line. After having these women speak and appear before the commission, the commission also having some facts given it by the women's bureau in New York and by our Federal bureau after our investigation on that topic, the commissioner said in his report that women had appeared before the commission claiming that special labor laws for women had thrown women out of employment, but had furnished no facts to substantiate their claims. That is what we found also in our investigation of this subject. We have, I might say, combed the United States all over for any real facts that these women have in claiming this position. In interviewing the employers in six States and the women employed in six States we have found no case where women were thrown out of employment because of the labor laws. We have found that in the semiprofessional and in the professional situation that women have been hurt a little here and there because of labor laws.

It seems to me that when we talk about labor laws for women there are certain things that we ought to take into consideration. One of the reasons for opposing labor laws is that women are now enfranchised and they vote and they are citizens the same as men. That is true to a certain extent, but we must remember that a very large proportion of our employed women are girls below the voting age and they do not stay in the industries. They are only in there for a time. When they marry they go elsewhere and do something else.

Then we have in the last few years a growing number of women in industry, married women in industry. The women that I speak of now are the women who are married and living with their husbands and having children. I am not including those women who are in industry because they are widows or because of broken-up homes. They have been going into industry in great numbers. The census report states that the married women going into industry between

1910 and 1920 has increased 42 per cent. That is an alarming state of affairs.

What do we find when we investigate these conditions? We find that these married women in addition to their work in the factory do their own work at home. Their reason for working may be because the husband is sick or they have incurred debts through children being sick that have to be met. Those are questions that come up and questions that we have to take into consideration when we talk about special legislation for women.

The CHAIRMAN. Another question has to do with the enforcement of some of the special legislation for working women—laws regarding lunch periods, night work, and seating. We have pruned it down to one measure—seats—and will refer it in that modified form to one of the State bureaus of women in industry. While the women's bureaus, as illustrated by New York and Pennsylvania, are not directly law-enforcing agencies, their work being more fact-finding rather than inspecting and enforcing, indirectly they play a prominent part in the enforcement work, since one of the essentials for effective enforcement is a knowledge of the pertinent facts. In a matter like seating, for instance, most of the laws are extremely vague. A requirement for providing suitable seats leaves it to the enforcing power to determine what constitutes a suitable seat for a particular kind of work and whether a given operation can properly be performed in a sitting position. It is through investigating matters of that nature that a women's bureau supplements the enforcing arm of the labor department. Miss Nelle Swartz, director of the bureau of women in industry of the New York Department of Labor, is recognized throughout the country as an authority on industrial seating. So I am going to refer that question to her.

MISS SWARTZ. In 1881 a law was written into the statute books in New York State that required seats to be provided for women in industrial plants. It was amended in 1914, and from a legal point of view that is all that New York State has done in the question of seats.

Early in 1920 the bureau of women in industry (as did the inspection bureau in our department) realized that the law was not being enforced, that it was practically impossible to enforce it, and that each inspector was interpreting the law as he himself saw fit. We also realized that in order for the State of New York to attempt to enforce this law it was necessary to build up certain standards for industrial seating, and so the bureau of women in industry attempted to do this. It was, of course, a very difficult task, because ideal chairs should fit each individual worker just as shoes fit each individual worker. It was our hope and aim to try to build up a chair which would fit the average worker.

We supplemented the report in 1920 by a report a year ago, and we have endeavored throughout New York State to carry on educational campaigns among workers and employers to get them to use the chairs and to consider the specifications which we have built up.

There are many difficulties in the way of securing good chairs for industrial workers. In the first place the best chairs are expensive. In the second place the workers are quite pessimistic about using chairs which are provided by the employers, even though they may be

good chairs. In the third place after you have provided a good chair you have not solved the industrial posture in your factory or shop. In other words, the ideal seating arrangement is to allow the worker to vary position at work whenever it is desired to do so—to stand or to sit at will. It is all right with workbenches and typewriting desks, etc., to have that kind of an arrangement, but in a shop or factory it is a little difficult. And so just securing a chair does not solve your industrial posture problem.

In working with the Taylor Society quite recently in an effort to produce a good chair for office workers we found it goes way back to the construction of typewriting desks and filing cases. So, when we are working on the question of industrial chairs, industrial posture, it means very much more than providing a good chair. We have to arrange it so that he or she is in the proper relation to the workbench or the worktable. In other words, you can provide a good chair and yet the girl will have to reach over. You can provide a good chair and yet she may have to strain her arms or her legs in reaching for some material.

So the thought which I wish to leave with you is that industrial posture is in its infancy. We have a long way to go.

The CHAIRMAN. One of the opportunities which a women's bureau of the research type has is to study methods of procedure, the best way of conducting work. The Pennsylvania Bureau of Women and Children has a certain amount of inspection in connection with home work. I know that Miss Carr, the director of that bureau, has some definite opinions with regard to inspection procedure, and I am going to ask her to take the question as to the best time to make inspections, either in connection with home work or other work, as she prefers.

MISS CARR. In Pennsylvania—and I presume in most States—the inspection work is done on the district basis. Now this seems to be the most practical way for most inspection departments to carry on. When it comes to the matter of enforcing the hour law for women, for example, to inspect plants at the slack season and then report no violation of the hour law, is to arrive nowhere. We have felt rather strongly that in the seasonal industries it would be of great advantage to have the inspection of the plant at a time when the possibility or probability of the employer violating the hour law would exist.

So this last year we selected November, a time when it was quite possible that the canning factories would work more than the maximum hours required, as the time to make the inspection. The same thing, of course, is done in our other highly seasonal industries.

We attempt also to make special efforts in the inspection at the beginning of the school year to find if any employers are violating the child labor law. One of the things we found very successful was to have publicity in the papers under the name of the local inspector, who is known in the country, to the effect that beginning in September the children could no longer be employed on vacation certificates and that employers thus employing them were doing so illegally.

We are having publicity statements in the papers again under the name of the local inspectors throughout the State to the effect that

employment certificates are required for children in summer as well as when school is in session, because we have found employers have too readily gotten the impression that when school was closed there was no necessity for a work certificate at all.

In other words, by taking a problem at its seasonal point, we find we can do a great deal more work than by taking it case by case and block by block, particularly as the laws relate to women and children.

The CHAIRMAN. There are so many questions connected with inspection work that we could easily devote an entire day to the subject. We have time, however, to touch on only one other inspection question, and that is, how to conduct the inspection in such a way as to detect violations of the child labor law. New Jersey has a bureau of child labor which, I understand, is under the immediate supervision of Miss McGowan and under the general direction of Mr. Weeks, the deputy commissioner of labor of the Department of Labor of New Jersey. I have asked Mr. Weeks to take this question, and I hope that Miss McGowan and Miss Slabeck, of the inspection staff of New Jersey, will take part in the general discussion later.

Mr. WEEKS. In New Jersey we made a very careful study of factory-inspection work. After that was accomplished Doctor McBride adopted a system of factory inspection that is working out very well.

He has divided the State into 22 inspection districts. Each one of these districts composes a certain area and is governed by an inspector who is responsible for everything in that area. Formerly we had special inspectors to take up special items, as, for instance, blower installations, electrical hazards, etc. They have now been assigned to a district also. Their district has been reduced somewhat.

An inspector we consider the most important factor in a department. He is the backbone of the entire situation. A good inspector, a capable and careful inspector, will eliminate much compensation, rehabilitation, and other work. If he keeps on the job and follows up his work very carefully, we will not have so many accidents and so much rehabilitation and we will not have child-labor violations.

In connection with the following up of home work, the inspector is responsible if there is any violation of child labor or home work in his district. We outline to the inspectors every week where they are to go the following week. We at no time notify a manufacturer or a building owner in advance of their visit, unless the visit is requested by him. That method allows an inspector to follow up fire hazards and the like in his district continually. We are getting excellent results through those methods and I don't think we can improve on them.

The CHAIRMAN. Protection of child workers begins back of inspection work with proper certification and placement work. In some of the States the problem connected with certification methods, the check-up on the working papers of children, is referred to a division or department of women and children under the State industrial

commission. These divisions differ from the research bureaus, which we have spoken of earlier, in that they are primarily inspecting rather than fact-finding agencies. The work of certification is one of the problems connected with these divisions, and Miss Swett, who is the field director of the department of women and child labor in the State of Wisconsin, will give her answer to the question raised in connection with certification matters. The question is, "For what ages should certificates be issued, and should the working permit be required to include a statement of the specific nature of employment?"

MISS SWETT. Two of the fundamental purposes back of our child-labor laws are to see that the child has a physical chance to become a whole man or woman, and an educational chance, at least, to secure a common-school education. In order to secure these purposes, you must have restriction about the employment of children; you must have restriction as to age and hours of labor, and so on. I have been asked to speak on what restrictions are to be on the age limit at which to issue permits.

I think you have to bear in mind that you don't want to have your limit of age so high that you endanger the protection to the children under 16, for, after all, those are the ones who are most in need of the protection which goes with the issuing of the labor permit; the working permit simply certifies to the age of the minor who is employed, while the labor permit carries with it a great many restrictions as to the employment. Through issuing this labor permit you can shut them out of undesirable employment in addition to the kind of employments that are named in the law as being prohibited to children of certain ages.

In our State we have gone beyond the age of 16; we have gone up to 17. I don't know that it would be wise to go any higher for fear of endangering the protection to the children under that age. We are glad in many cases that we do have the age limit at 17 instead of 16. We can do much in the way of effective administration by refusing permits entirely to factory employees.

The other question that was asked was, "Should the specific nature of the employment be named in the certificate?" We don't do that, and I don't think it should be done. I think it involves too much administrative difficulty, and with the compensation law that we have it would involve dangers to the employer which we do not ask him to assume. However, on the back of the permit we give the things which a minor may not do lawfully. We can't be there from day to day to know whether the child is doing the particular kind of thing that we make out the permit for. If there is no objection to the other work, I don't see why we should entail that administrative work and also restrict the progress of the boy.

I do think that these permits should not be issued in blank. I do think that the name of the particular employer for whom the child is going to work should be on the permit. I think the child's signature should be there, because that is a means of protection and help to the employer in identifying the children and also to us.

THE CHAIRMAN. Mr. Flinn, chief of the employment division of the New York Department of Labor, has, I think, a somewhat different viewpoint with regard to some of these certification matters. Per-

haps he will be able to mention this in his answer to the question which we have referred to him as to "How the public placement agency can assist in safeguarding children entering employment through coordinating its work with that of the public certification office."

Mr. FLINN. I want to say first of all that in New York State the labor department has very little to do with the issuing of employment certificates. Under the education law the employment certifying officer, who is an official of the local department of education, issues the employment certificates. This is the process, very briefly:

When the child leaves school he must have a school paper. Then he must go to the board of health for a birth certificate. Then he has a physical examination by a doctor of the board of health. Then he must have a promise of employment signed by the employer. Then, that signed promise of employment, stating the job, he takes to the employment certifying officer, along with his record from the board of health. Then, if the job is found suitable to his physical condition, his employment certificate is issued, with the name of the employer, with the signature of the child, allowing him to work only for that employer. When he quits that job the child must get a new employment certificate.

In New York City there are about 100,000 employed children under the age of 17. Our local placement officers in the school, with the cooperation of the board of education, places from 20,000 to 25,000 children every year. We ask them to get their jobs through our offices to reduce labor turnover by getting them into regular employment, to reduce accidents, to put them in jobs that they are fit to hold, to reduce the work of the factory inspectors, and so on, by legal employment. We cooperate with the employment certifying officers by telling the children what papers they need and by giving them the promise-of-employment slips.

We are conducting a very interesting experiment now. We found, or rather the survey found, that a great many children were working without an employment certificate or without the right employment certificate. Now, when the children come into the employment office of the continuation schools we take up the old certificates. In the month of May we took over 1,000 from children. On the promise-of-employment slip we note that we have taken it up, so when they go for the new certificate that slip of paper is accepted. Then, the same day, we forward the certificate to the employment certifying officer. We try to cooperate in this way by locating our office in the school in the next room to, and sometimes in the same room as, the employment certifying officer.

The CHAIRMAN. One of the most vital problems of a State labor department is to safeguard the health and safety of children entering employment, to protect them from health and accident hazards. Although the methods of meeting this responsibility vary in the different States, in practically all States they include the establishment of certain minimum standards which must be met before children are allowed to enter industry and the requirement for maintaining certain standards in connection with their employment after they have gone to work. These standards are not always sufficiently responsive to changing industrial conditions involving new health

and accident hazards. How can they be made more effective? What part can the State labor department take in assuring more adequate protection? We had hoped to have Miss Frances Perkins, chairman of the New York Industrial Board, here to lead in the discussion on that question. Unfortunately, she is not here. I see in the audience, however, Miss Minor, of the New York child-labor committee. I know she is interested in this subject, and I am going to call on her.

MISS MINOR. May I limit my address to safeguarding the health of working children? In visiting the employment certifying offices in six cities in the State of New York during the past year I have found, with the exception of three or four cities, utter indifference to that particular section of the law which requires the child to secure a certificate of physical fitness, which certificate is based on an examination tending to establish the fact that he is in sound health. That isn't qualified by the word "sufficiently," as it is in some States. There is no discretionary authority allowed there because of the certification requirement that he is in sound health; also that he is of normal development for a child of his age. This is of particular importance, because he does not during his working life receive another physical examination unless the medical inspector attached to the labor department happens to find him at work and examines him for the work he is doing.

The examinations are made uniform by the State department. They are either utterly perfunctory in most places or sometimes they don't make any examination at all. I have found in more than one place where the physician who was supposed to give the examination did not even see the child. In Buffalo the superintendent of schools has issued an order that the child may not leave school with his original paper, his school record, until the medical school inspector has certified that the defects which were noted on his physical record card during the preceding year have been corrected. The thorough correction of physical defects sends those children in Buffalo out physically sound, so that when they go to the health department for their final examination there are no defects to be corrected.

The health of the child is a prime factor in his employment to-day. The rejections in New York City on the part of industrial employers range pretty closely from a low rate of 3 per cent to a high rate of 15 per cent. In other words, industry is adopting a standard of its own because of the high cost of absentees. They say that to-day the cost of medical service in their plants and establishments is very high. They say, "In order to lessen that we must see that the people who come into our plants, into our industry, are in sound health." It is about 5 per cent nationally in the overhead cost of industry.

When you take into consideration also the proneness of immature children to meet with accidents and their susceptibility to health hazards, the assurance of sound physical health of the children who are given certificates in any State of the Union warrants the emphasis being placed upon this important point by every representative of the industrial department of all the States.

The CHAIRMAN. These are very important questions—the protection of the health and safety of working children.

We are very grateful to Commissioner Stewart, of the United States Bureau of Labor Statistics, for consenting to lead in the discussion of the other side of this problem—the protection of children from accident hazards. The topic suggested was, “The relation of compensation laws to the reduction of accidents among children.” I hope, in discussing that, Commissioner Stewart will be able to touch on the question of extra compensation for minors injured when illegally employed as a means of reducing accidents to skilled workers.

Mr. STEWART. It is pretty difficult to outline a five minutes' discussion of the effect of compensation laws on accidents to children. I shall not attempt to go into the matter of relative number of accidents which happen to young persons as compared with accidents to adults in the same industry and occupation. The Children's Bureau of the United States Department of Labor has issued in its publication No. 152, entitled “Industrial Accidents to Employed Minors in Wisconsin, Massachusetts, and New Jersey,” all of the available facts on the statistical side of the problem. Suffice it to say that under identical conditions the danger of accidents to very young persons—that is, persons under 20—is considerably greater than it is to adults. In the first place, even with the exercise of the same degree of judgment, a child has not the same coordination of muscles and parts of his body that a mature man or woman has. The muscles do not react so quickly to the knowledge of danger as it comes through the eye and brain. In the second place, there is not the same degree of judgment, for, after all, judgment is largely a product of experience, and I think we can at the outset assume that under identical circumstances the hazard of accident is greater to minors.

The effect of the workmen's compensation laws upon industry in the matter of accident prevention is another thing that need not be discussed here. The effect was electrical. It made an accident cost the industry and the employer money, regardless of who was to blame. The smaller employers, being unable to carry this risk, insured themselves in accident and liability companies. These companies, at least the larger ones, undertook to fix the standard of safety appliances and equipment and required the companies whose insurance they carried to live up to the standards. A very material reduction in accidents became apparent, if we may judge by the reports of accidents before and after in the few States which had reports of accidents prior to the enactment of compensation legislation. Of course, in general, the movement to render work places safer affected children in the same way that it affected all other employees, and there is no doubt that in the beginning workmen's compensation legislation did reduce accidents.

However, in some States the minor had no rights under the compensation law. In other States only illegal employment was affected. In the following States the matter of employment, whether legal or illegal, apparently gives minors a right to compensation under the law by the terms of the acts themselves: Alabama, Arizona, California, Colorado, Georgia, Indiana, Maryland, Missouri, Nevada, New Jersey, New Mexico, New York, North Dakota, Oregon, Virginia, and Wisconsin. In five of these States double or treble recovery is allowed where the employment was contrary to law. Maryland

has such a provision. Michigan has just allowed double compensation. That isn't a matter of record in the bureau, but I understand it has happened within the last few days.

Under the regulations, Wisconsin is enabled to assess three times the penalty as fixed by the law where a child is illegally employed. As a matter of fact, these additional compensation assessments have reduced accidents to children in those States, at least, according to the statements of the State officials themselves.

Besides the States named where minors are explicitly covered in the terms of the law the courts of Ohio and of the State of Washington construe the laws of their States to include such minors, while in Pennsylvania an option to sue under the old liability law or to claim compensation was declared by the court to be permitted.

The law apparently excludes minor employees from compensation in the States of Idaho, Louisiana, Maine, Minnesota, Nebraska, Rhode Island, and Wyoming, and decisions of the courts have excluded such workers in Michigan, Texas, Utah, Vermont, and West Virginia. I was very glad to hear what Miss Carr had to say about Pennsylvania, that there were only five cases on which compensation was not allowed and they didn't get anything. If I remember aright, it was in Pennsylvania that a judge, not a supreme court judge but a district judge, decided that a child was illegally employed, and being illegally employed it wasn't entitled to anything, because it was a co-criminal with the employer; both of them having broken the law, they had no right to appeal to the law.

The general idea back of the exclusion of children from compensation legislation seems to be that such children will fare better under the old liability law in case of an accident than they will under the compensation law, and that, particularly in case of illegal employment, a presumption of guilt on the part of the employer will work to the advantage of the child. I think Miss Carr has answered that.

The attitude of a number of the courts toward coverage and non-coverage of minors illegally employed is expressed in an Indiana decision on a case apparently arising prior to the amendment of 1923, which permits double recovery. It was said that inasmuch as the employment was not lawful the compensation act was no bar to a suit for damages and that a larger recovery than a compensation award was proper, inasmuch as negligence must be proved, while under compensation all injuries receive limited award without regard to question of negligence.

It must be admitted, however, that formerly courts in some States took the position that a child illegally employed had no recourse under any circumstances since the employer and the employee were equally violating the law, hence neither party could appeal to the law for recognition of damages done while in open defiance of the law. Fortunately, judges possessed of this type of mind are disappearing from the bench.

I have been speaking of the original operation of the workmen's compensation law in the matter of reducing accidents. However, there is a later development which is not so apparent. The premium rates which the insurance carriers fixed appeared to be very high, and a great number of the larger corporations after dealing with the insurance companies for a few years decided to carry their own

risk, in other words became self-insurers. This movement has become so general that a very great shift has taken place in the proportion of small employing companies which are now carried by the insurance companies. Now, the self-insurer knows that accidents cost him money, straight out of pocket; hence, enormous sums of money are being spent in accident-prevention work, and in these particular corporations accidents are rapidly decreasing. But the large companies, the self-insurers, are not as a rule great employers of children. It is the smaller companies, generally speaking, at least the companies not big enough to become self-insurers, that are the greatest employers of women and young persons.

Now, the attitude of the small employer toward accidents seems to be entirely changing. In a great many instances, he says, "Why should I worry about accidents? The insurance company has to pay that. I have to pay my insurance premiums anyhow. Let the insurance company worry." The fact that the cost of compensation insurance is actually increasing in the case of most of the insurance carriers indicates that if you eliminate the large corporations which are self-insurers the rate of accidents among the smaller plants is increasing. We have here a shifted responsibility which covers so much territory that the insurance companies are not in a position to compel the small manufacturer to provide the same safety equipment that the large corporation provides in its own self-defense.

Another thing which tends to increase hazard, especially for young persons, is the tendency to push production to the highest possible point by means of improved machinery, mechanical appliances, conveyors, power hoists, trucks, and by speeding up the workers. As stated in the outset, the child—and by this I mean in a general way the youth under 20—has not the same muscular control and the same coordination of body and mind that we find in mature persons; hence the new machinery, the new methods, and the new speeding-up processes are relatively more dangerous to the child than to the mature. And this taken in connection with the attitude of the small employer to let the insurance company do the worrying promises to divide industrial hazards even in the same industry into two classes—the large concern, the self-insurer who has a direct interest in accident prevention and safety work, and the smaller concerns who think they are only indirectly interested and are apparently willing to let the moral as well as the financial risk be taken care of through the premium rates they pay.

The CHAIRMAN. The meeting is now open for general discussion of the topics that have already been taken up and for questions in connection with the previous part of the program.

Mr. STEWART. I would like to ask three questions. I would like to ask Miss Swartz about the economic side of these seats for workers. The Bureau of Labor Statistics in its investigation of woman and child labor—of course, that is pretty old—did find this situation: That where women and girls were working piecework they simply would not use the chairs, no matter how convenient, because they could not work so fast; couldn't earn as much money sitting down as they could standing up. That was a very important factor in the question of seating employees, particularly in the mechanical trades.

I would like to ask Miss Carr: Is not the district system used solely because it is cheaper? Would not the industrial system be better; that is to say, have people who are thoroughly acquainted with an industry in your State handle that industry, regardless of where it is; wouldn't they find violations of the law; wouldn't they see the place where the manufacturer could improve the safety to his employees and profit to himself? It seems to me—I may be wrong—that the Bureau of Labor Statistics has improved its work immensely by abolishing the district system as far as we could and having men on an industry who know that industry.

I would like to ask Miss Swett this question: Has Wisconsin gotten away from the system of labor permits issued by judges of the courts and superintendent of schools? In other words, has it gotten out of the rather large class of States in which, if you can show an old decrepit father or mother, uncle or aunt dependent upon the labor of the child, you can get the judge of a court and the superintendent of a school to issue these work certificates? I should say that at least 15 or 20 States of the Union are deliberately, perhaps not consciously but actually, throwing the burden of the old and the infirm on the backs of the babies, and it is an infernal outrage.

MISS SWARTZ. I think probably Mr. Stewart is right. As a matter of fact, we have a little different idea of the problem to-day. I think the seats 10 or 15 years ago were meant to rest and relax. The seats are so constructed now that they are an incentive to work, and they are a little peppy perhaps.

On the other hand, this idea of having a worker stand or sit at will during the course of his day has tended to increase production. I recall in one of the large collar factories in New York City where the girls are working on sorting and marking collars, you come into a perfectly enormous room with some four or five hundred girls employed, and half of them sitting and half of them standing. When they sit they are sitting quite upright at their tables. When they get tired sitting they stand and hoist up a little table and they work from that.

The tendency in that one shop has been to increase production.

MISS CARR. I think unquestionably that the district inspection system has been used because it is cheaper. The lack of inspectors has always been an important factor in the enforcing of the laws. We don't have as many inspectors as we ought to have and as we want to have. The district system is about the only way we can adequately meet this situation as we find it, with the number of inspectors that we have.

The industrial system will come, and I do find to a certain extent it has come, in Pennsylvania. We have an inspector who concentrates on the inspection of quarries entirely. We are intending to specialize our inspectors for work in the steel mills; also in the textile mills.

MR. STEWART. I just wanted to have the record show that this organization is on record as stating that we are doing the best we can, not the best we know.

MISS SWETT. In reading our law you might be a little bit misled. The commission has designated about 200 permit officers. In every

county there is at least one. In one of the large cities in the State the principal of the vocational school was our permit officer. He was utterly out of sympathy with a great many of the policies, and the commission itself can not make these exceptions because of the need of the family. We do not make any exceptions. That is one of the things we used to have difficulty with. We don't have much difficulty there any more.

The CHAIRMAN. There are a number of questions in connection with certification matters; in connection with the question of including or not including the requirement for specific nature of the employment. There must be another point of view besides that represented in Wisconsin. I wonder if some one present does not wish to take up that question.

Mr. HALL (New York). We are interested in all these problems and I should like to speak about a number of them. But this question of the type of employment and the relation of a certificate to that type of employment, it seems to me, is very fundamental. We have not solved that problem in New York City. We certify to the employer but not for a particular type of employment. We have this unsolved problem as it relates to children who may have some physical incapacity, who like to get an employment certificate but who are refused an employment certificate at the time of their physical examination by the health officers because of some physical impairment, because the officers find a condition of cardiac trouble or bad vision or bad hearing or some other physical defect sufficient, in the opinion of the officer, to make the officer refuse granting the certificate or permit.

I would like to raise that as a point of discussion as to what States have tried any plan of issuing what is sometimes called a limited certificate or provisional certificate whereby a child who has some physical impairment is given a certificate for a particular process or job or task and under condition that he work at that job only. If any State has such a plan I would like to know how you follow it up and how you succeed in being sure the child stays on that particular job.

The CHAIRMAN. Before we touch on that particular problem I would like to ask if Mr. Meade will explain the reason why in Massachusetts we require the specific nature of the employment to be included on the employment certificate.

Mr. MEADE. I really didn't intend to take part in the discussion because of the limitation of the time. One could hardly get going before one would have to stop. I will, however, try and present the Massachusetts experience in connection with the specific employment in matters of certification. We found some years ago that a large number of our children, and what seemed to us a larger number of children than should be injured, were being hurt in the course of their employment. We made a very careful study, a most intensive study, of that particular thing and we found very quickly that there was a general lack of knowledge concerning the requirements of the certifying laws. We found that the school authorities in our State, the certifying officers, were not aware of the requirements of the statutes and were rather careless in the matter of making out employment certificates. We found it was necessary, very quickly

also, to reform our statutes to some extent and to make it obligatory on the part of the employer to give the specific character of the employment that he was going to give the child to do.

I listened with a great deal of interest to Miss Swett's observation on that particular subject, and, of course, I very quickly agree with her that the extremist might carry that subject too far. It is, however, safe to use as a means of keeping children away from hazardous work in industry, and should be used to that extent.

The Massachusetts Legislature thought enough of it to put it into its statutory provisions; that if the employer is going to employ a child under 16 years of age and over 14, as the law permits him to do, that among other things he must certify to the officer authorized to issue certificates the specific character of the work that the child is going to do.

In 1917 there were 72 permanent partial disability injuries to children between 14 and 16 years of age. As you all know, that means the loss of hands or feet or the loss of fingers or the sight of the eyes. The year 1917 might be considered the most abnormal year, for many reasons that we haven't time to describe at the moment. But, our statute didn't compel the observance of this requirement until some few years later. After its adoption, and by good cooperation from certifying authorities, we very quickly learned of its value. Permanent partial disability injuries to children of that age group dropped steadily year after year until last year it fell to the lowest point in the history of the Commonwealth so far as we know, five being the actual number of children injured in the manner I have described.

A number of circumstances contributed to that result. There was our inspection work, there was the work done in the certifying offices of the school department, there was the growing tendency of the times in favor of restricting children to safe places in industry.

The CHAIRMAN. I wonder if we might return to the subject of accidents to children in industry. I think all would like to hear from Mrs. Kelley with regard to the work of the National Consumers' League in that connection.

Mrs. KELLEY. The National Consumers' League is trying to get light on the workings of the provision that there shall be extra compensation when children are illegally employed. We have undertaken to publish some leaflets containing whatever light we could get. We have been astounded at the amount of darkness and the small amount of light. For instance, it very quickly turned out that there are 17 States that excluded children from compensation if they are illegally employed at the time of the injury; that there are either 21 or 29, I forget which, which do not segregate the records of injuries to persons under 21 or under 18 or under 16 from the ordinary records; that there are still 13 States which do not register the births of the children within their boundaries.

Those are four grievous difficulties to the effective protection of children. The reading people of the United States are entitled to know the ages of the children; employers in those 13 States are entitled to know from public records the ages of the children they employ and should not be dependent upon illiterate parents and their statements.

We—all of us in the United States—contribute to the cost of the insurance burden carried by industry, and we are almost morally, if we are not protesting, acquiescing in the preventable injuries to children.

I can contribute to this discussion the assurance that the improvements which are taking place are a dreadful showing of what we have done until now, and they are so appallingly slow as to be terrifying. For instance, this year we wrote to 17 governors calling their attention to the fact that there was exclusion of children illegally employed in their States from compensation and asked them if they would not put in their inaugural addresses to the legislature the request for early legislation. The governor of Michigan answered. A second governor who did not answer did what we asked him to do. Governor Green and Governor Ritchie were the only two governors of the 42 States that were in legislative session that did anything about this.

Missouri did introduce 50 per cent extra compensation for such children by a State referendum vote last November, so if we consider Indiana, there are seven States which are doing something about extra compensation for children illegally employed when injured.

I hope very much indeed that as a part of the permanent and recurring program of this association, and as a part of the program of the State departments throughout the States, the consideration of improvement and care of the children illegally employed may show much greater intensity in the near future.

Mr. ROACH. I didn't expect to discuss the matter here this morning, because if I did I should have come fortified by a knowledge of the statistical experiences established by the child labor bureau of our State on a legal provision in the case of minors who are injured and recoveries of compensation made under the law that for some time has required double compensation where there is illegal employment of those who are under age and engaged in certain definitely indicated dangerous occupations.

If the theory is sound and correct, and I think that most sociologists and social workers and many industrialists now are convinced that it is sound and correct, to assume that young persons under 20 years of age employed under identically the same conditions as those of a more mature age are more inclined to suffer accidents growing out of and arising from their occupation, then, I think the States would be justified in extending and widening the range of prohibited employments for minors and increasing to a respectable degree the age limit for certain dangerous occupations that are now prohibited to young persons.

Most of us that have arrived at middle age know that the child who has turned 16 is not very much more mature than the child that is just a few days under 16, and that if it is dangerous to employ a child just under 16 in a certain definitely dangerous employment, then it must be equally as dangerous to employ the child just after it has passed this critical age.

This matter came to my attention in routine work in the office some days ago when a report came through that showed that a young person just passed 16 had suffered a severe injury to the hand from

a slicing operation on a machine in an industrial plant and a machine of a type that could not be at the point of operation effectively guarded so as to prevent that kind of an accident. I believe that the commissioner of labor sent a letter to the management drawing their attention to that very point and indicating that a moral obligation rested upon management to provide safe premises for properly selected, properly trained, and educated workmen in order to enable them to work without suffering from industrial accidents.

We have many interesting experiences in carrying on educational propaganda in the plants in our State that clearly show the attitude of the young mind toward this modern theory that some responsibility for accident prevention rests upon the men and women employed. The cynical, light-minded attitude of the young people in the plants who may be employed in rather dangerous occupations is sufficient evidence that to me at least this theory—that under similar conditions there is greater danger to those who are under 20 than to those who are over 20—is well borne out. It is difficult enough to get the older type of workman to believe that responsibility rests upon him as an individual to prevent accidents. It is much more difficult to get the young person to believe that at all or to attach any importance to the serious lectures and discussions that are given in the most of the industrial plants in our State on safety education.

I think the time is at hand when either the commission or the commissioner of labor or some properly constituted authority should be empowered to increase the age limit in a given occupation, and that some organic act should be passed to make a general increase in the age limit that I think now rests at 16.

The CHAIRMAN. Are there representatives from the other States that have extra compensation who would like to contribute to this part of the discussion?

Miss SWARTZ. We in New York State have a compensation law which provides for double compensation in the case of accidents to children illegally employed. We have just finished a study of those accidents. I think in one year we had 72 such awards made in the New York City district where children were illegally employed and injured during the course of their employment.

In New York State the vast majority of the children who are illegally employed and injured during the course of their employment are employed on prohibited machines. In other words, we get very few accidents from children working illegally as far as hours are concerned; it is mostly on prohibited machines. We are having considerable difficulty in the State of New York in making a rule which would cover the real thing.

Our section 1146, which was passed a number of years ago, names machines on which children may not be employed under the age of 16. That list is not inclusive, and many of the machines have gone out of existence and many new machines have sprung up. Our hope is that we may pass a rule through the industrial board which will prohibit children under 16 from working on machines of a certain type—punching, pulling, shearing, and pressing machines—rather the kind of operation than the kind of machine. We believe in that way we will be able to reduce considerably the number of accidents to children.

I have been impressed with the speeches which have told about the accidents to children being on the decrease. Our waiting period decreased from 14 to 7 days last year. We are getting more accidents reported than ever before, but we can't definitely say that accidents in themselves are increasing. We do know that we are getting more reports, more accidents to children, and we are compensating more accidents to children than ever before; this in spite of the fact that more educational work has been carried on by employers, schools, and departments of labor. We are wondering whether we are on the right track.

MISS MINOR. May I ask the Chair to direct a question? A number of the States have in their labor laws bestowed upon the commissioner of labor or the industrial board or commission the right to add to the list of prohibited occupations. A number of years ago I wrote to all the States which at that time had such a provision—at that time there were five. I think they have increased since then. As I recall, the replies stated that only one State, one labor department, had ever acted on that policy; I believe that was Indiana. It would be very interesting to know whether any of the labor commissioners have felt that that power might bring about immediate remedy where there are conditions in which we constantly find children so hurt.

THE CHAIRMAN. In Massachusetts there has been action by the former State board of labor in industry under that provision which exists in the Massachusetts laws, authorizing the board of five commissioners to exclude minors under 16 and under 18 years of age from any employment not now prohibited, if, in their opinion, such action is necessary to protect them from health or moral or accident hazards. Such action has been taken in only two instances, both of these being by the former State board of labor.

Is there any information from the other States represented here?

MISS SWETT. We may refuse to issue a permit if the best interests are served by the refusal. We don't have to enumerate that as a prohibited employment, but we have a number of occupations for which we will not issue permits, some of them based on the moral conditions and some on the physical conditions. For instance, we don't want boys to work on road construction. Then, minors under 16 are not allowed to work at lumbering and logging operations because of the hazard. We have a blanket clause for the occupations prohibited to children under 16.

MR. STEWART. I find that 42 States have specific occupations in their laws while only 7 say gainful occupations. Some of them say both gainful and specified. It would seem that to get specific occupations through the State legislature would be along the line of least resistance and most of the States are treating it that way. Why not adopt that policy to get the State law amended so as to specify more clearly which occupation you want excluded?

MR. BONCER. With special reference to compensation in the coal mines, I was wondering if other States have had the experience in the change of policy of insurance companies similar to what, I understand, we have at this time. A short time ago the Associated Companies carried, I believe, a uniform rate on all operations.

Since their withdrawal the Mutual Insurance Co.—I believe that is the name of the company—from Pennsylvania carries the insurance. I think their policy is to base a premium rate on the experience of each corporation. I know that the rates under their system are varied. One mining company has named as high as \$9.35 per \$100 of pay roll, while other companies are paying as low as \$2. I wonder if that is in effect in any of the other States and if it is having any influence on the reduction of accidents.

Mrs. SLABECK. The method of issuing limited certificates on the grounds of health and the correction of impaired health obtains in Newark. All children receive a thorough physical examination. If it is necessary that their teeth should be repaired or the adenoids removed, they are sent to the city clinics if the people are not able to pay for private operations.

The CHAIRMAN. There was one matter brought up before the opening of the program which we felt at first might not be included because it was somewhat outside the scope set for the session. That was the question with regard to apprenticeship which rose out of an earlier session. If there is no further discussion on the questions in connection with this morning's session. I will ask Commissioner Stewart to speak to that question before we close the meeting.

Mr. STEWART. The Bureau of Labor Statistics in cooperation with the Conciliation Service of the department is making an investigation of apprenticeship systems. So far we have taken up only the building trades and haven't finished that.

Now, we find that, just as the gentleman said at the banquet the other evening, nobody wants apprentices, and not only that, but nobody is going to have them. And even if they do want them the condition of the work in the building trades particularly is not such as to make apprenticeship practical. Any small contractor has too much idle time. He can't give an apprentice a thorough training. In other words, the old system of indenture is gone.

I don't want to write my report before completion of the field work. It does seem to me that in the building trades they have got to get together, local employers and the public and the workers, and establish an apprenticeship system.

The Santa Fe Railroad when it started its shops at Kansas, when Kansas was still bleeding, was so far from anything except coyotes that they had no field to draw from. So, they started there an apprenticeship school. They had an apprenticeship group in the factory, and that started the so-called corporation school idea, which is pretty good as far as it comes under certain restrictions, of course.

We are going to have to revolutionize the whole apprenticeship system. I want to just raise one word of warning here in advance. It was touched upon at the banquet when they talked about continuation schools being a problem. Now, let us see about that. A boy works all day; then he goes to school to learn how to do his work for two or four hours a week. That is to say, his education is night work when the poor little fellow ought to be asleep, and then he is going to school when he is worn out. I appeal to you to agree on some constructive plan—not at this session, because you wouldn't have time—which will sidetrack that thing. I don't mean to say

that we want to stop the continuation school until we can put in something better. I do mean to say, however, that the continuation school is not the answer. It is absolutely cruel and merciless. The employer is dumping the whole apprenticeship question onto the public; he is trying to dump it onto the public school. Now the public school is not the place for it. The school teacher, who generally does not know a monkey wrench from a screw driver and doesn't care, is not the person to instill this industrial information into the mind of the child.

I just want a minute to call your attention to the fact that we are facing a great industrial revolution in education. It is not up to the school to handle the industrial apprenticeship question. The corporation school is a good thing to study.

In Chicago the schools, the unions, and the contractors are uniting. The school furnishes the building—I believe that is all the school furnishes—the unions and the contractors put up the money, 50-50, and the teachers are men who know the trades. Of course, it is rather unfortunate to get a teacher of a carpenter class who can't read and write. But, after all, he knows carpentry. He isn't there to teach reading and writing.

It may take us a couple of years to finish this question. In the meantime I want you to be thinking about it, because, believe me, we are right now in the face of one of the greatest questions that we are going to have to face. I grant you that the old three and four and seven year apprenticeship term is gone. There is no reason for holding a boy four years or seven years to learn a thing he can learn in six months or a year. There is no use in having an apprenticeship of two years or three years for one of those girls who runs a machine in the Singer sewing machine plant. After she works at it for a week she can do it as well as she ever can. We want to get away from the question of an endless apprenticeship. We want to turn workers out as fast as we need them, and only as fast as we need them.

The CHAIRMAN. The question of the proper training for teachers in the vocational schools—the right combination of trade experience, trade training, and teaching ability—is an important one, and some of the States are making a serious effort to meet it. In the approved type of continuation school law the requirement is included that the work of the continuation school must be taken during the working-day or counted as part of the working time, so it doesn't mean night work in addition to the work of the factory. Mrs. Slabeck would like to speak on this question, I think.

Mrs. SLABECK. This is an experience meeting, I believe. I would like to speak of 13 years' experience in New Jersey.

Having heard of all the different regulations in the various States this morning, I feel that we have been very fortunate in New Jersey, in that we have really very progressive regulations. We found long ago that our enabling act carried the guarding of the health of the children who are engaged in industry together with the women. But in the back of our heads was the ultimate goal of eliminating these children from industry entirely, and so we have been very anxious to incorporate in our regulations every method by which these children would be eliminated from industry.

It is our experience that double compensation for children illegally employed has been successful. In addition to that, we have in the State of New Jersey the privilege, if the child or its parents does not sue, to sue independently of that and to get the compensation. Our manufacturers, I might say, are careful not to employ children illegally.

If we are going to eliminate children ultimately from industry we must find out why they want to work. In a broad sense children have gone to work because of financial needs or because the school did not meet their need. Large numbers of our children are only one generation removed from the fields of Europe, and they are capable of absorbing so much academic training and no more.

I would like to speak of this phase of the matter first. Therefore, where the continuation school was discussed or the bill was discussed we were anxious it should be tried out. The effect of the continuation school in New Jersey has been very largely to eliminate children from industry, because the manufacturers would not spare their children two hours each for three days in the week, making six hours.

It has been my feeling for a number of years that we needed in connection with our labor departments a way by which the child who would not go to school because of economic reasons could be retained in the school. In other words, every State gives college scholarships, and we feel that that is quite all right. But I believe only five States in this Union, and Ohio is the outstanding one, has from its educational fund such a sum of money as \$5,000 which is given to the child who can't continue in school through economic pressure.

My pet hobby for at least seven years has been that if we could have in every State such a fund administered through a committee locally appointed to handle cases in its vicinity, which would be correlated to our labor departments, we would go a long way toward helping children who would go to school and become well-educated citizens, but can't because of economic needs.

[The meeting adjourned.]

**FRIDAY, JUNE 3—AFTERNOON SESSION**

**H. M. STANLEY, COMMISSIONER DEPARTMENT OF COMMERCE AND LABOR OF  
GEORGIA, PRESIDING**

**CONCILIATION AND ARBITRATION**

The CHAIRMAN. One of the most important questions that labor administration offices have to contend with is that of labor disputes. Each dispute is distinct in itself and really requires a diplomat to handle it.

Mr. Kerwin was to speak to us this afternoon on "Conciliation in labor disputes." He was unable to come, but he has sent a pinch hitter. Those of you who go to the baseball games know that sometimes the pinch hitter is better than the regular man in line for the job. So I take great pleasure in introducing Mr. John A. Moffitt.

**CONCILIATION IN LABOR DISPUTES**

**BY JOHN A. MOFFITT, UNITED STATES CONCILIATION SERVICE**

To my mind one of the most significant economic developments in recent years has been the healthy growth of the spirit of cooperation between the employers and the employed in American industry.

We have but to go back a few years to find that the major portion of the workers in industrial establishments, in mine, mill, or factory, as well as the majority of the managers in these enterprises, seemed given to thinking that what was beneficial to the worker was detrimental to the management, and the workers held a similar misconception that their interests and those of the management were inevitably hostile. It was a common thing for workers to oppose any innovations in the factory in which they worked, and the management was often unwilling to give consideration to any plans put forward by the employees, each believing that only selfish interest guided the actions of the other. It was the fashion for the employer to oppose every request for an adjustment in wage rates or the betterment of working conditions, and it was the general attitude of the workers to look with disfavor on any changes suggested by the management. While in some enterprises fair dealing built up through long association had developed a spirit of confidence, it was pretty generally believed that neither interest could be actuated by any other motive than to get the best of the bargain whenever demands were presented or changes in production methods suggested. We have gone a long distance since this condition prevailed. To-day we have a different idea as to the rights of workers and management, but for the most part it has been an awakening to the fundamental fact that satisfactory productivity depends not only on managerial efficiency and intelligent labor but more than all else on harmony, good will, and cooperation. Good management now believes in well-

paid workers, employed under the very best of working and sanitary conditions.

The workers in American enterprises are producing more and better commodities because they respond to the improved methods and machinery and the type of management that prevails to-day. The net result of this modern combination, built on a basis of understanding and joint effort, has made our country the foremost industrial nation of the earth. With greater production has come a greater store of wealth for each to share; more leisure to enjoy the returns, and more satisfaction, contentment, and better standards of living than ever before known.

It is not intended to convey the thought that we do not have any differences existing in our industrial field, because, unfortunately, this is not the case, and despite the fact of our tremendous advancement along the road to better and finer understanding we still have disputes arising in this great industrial organization of ours with its millions of workers. It is estimated that there are 24,800,000 actual earners of wages, skilled and semiskilled workers, laborers and servants; add to these, people engaged in clerical and kindred work and we have 31,500,000 persons on a wage or salary basis. Include all others of the gainfully employed and we have a grand total of nearly 42,000,000 persons. In the old days trade disputes often brought, in addition to loss of work, wages, and profits, violence and harsh treatment. To-day we find but little, if any, violence attending trade controversies and the harsh treatment is gradually giving way to more considerate methods on the part of the divergent interests.

Here and there in a few industries they still cling to some of the ways-of the past, but I believe that the time is at hand when we shall soon see a great majority of our industrial differences settled by joint negotiation and conference while work progresses and man and manager maintain a friendly attitude during the negotiation of a contract or settlement of a dispute.

To harmonize differences, to bring about through negotiation an adjustment of grievances arising in our industries, before and not after an open break develops, is the ambition of the United States Conciliation Service of the Department of Labor. We have only to study industrial history in this Nation and in other countries to find that many theories have been advanced, many plans have been devised, and many agencies have been brought into existence for the one purpose of establishing and perpetuating peace in industry. Many of these have been quite successful along certain lines. Others in many instances have failed because, as I firmly believe, the plan did not reckon altogether on the human elements involved. Industrial relationship is not a question that can be solved by mechanical means. It is solely and strictly a human problem such as is religion, education, recreation, or any of the other activities of our personal lives.

Statistical experts can reasonably determine the increase in population and estimate the wealth per capita this year and next. Engineers can give you the strength of Brooklyn Bridge and the required strength of steel beams to carry various loads. All of these are possible and of pretty accurate determination, but when it comes to determining or anticipating the trend of a human intellect or of the

action of the individual, or a collection of individuals, we are all at sea unless we take notice of the human equation. Men react to sentiment, ideals, necessities, responsibilities, selfish interests, and many other personal motives. Especially is this true in industry where personal grievances or differences grow up in the differences of opinion over production, earnings, working conditions, output, or a multitude of issues. Then it is at once evident that no general plan or set rule provides the way out. A human problem is presented and it can be solved only by going at it in a diplomatic manner and by showing the contending sides that their best interests depend upon a settlement based on mutual respect and good will. This can be accomplished only by a clear-cut understanding reached through frank, open consideration of the grievances, be they economic, social, or financial, or, in other words, the question of pay, human relations, and working conditions. A settlement that is fair and just can be secured only by fair and just means. A great deal has been accomplished in the development of a better understanding between employers and workers. This ideal condition prevails in America in a greater measure than ever before, and I feel that the various interests in the business of our country are realizing that the very best way in which honest differences of opinion may be fairly settled is through conference and negotiation. It is a method far more to be preferred than the turmoil of temper and ill will which, in years gone by, have so frequently led to frequent strikes, to serious interruptions of the Nation's prosperity, and to a settled state of discontent that rendered the worker a smaller producer throughout the year.

I am more than pleased to call your attention to the fact that during the past fiscal year the Conciliation Service of the Federal Department of Labor was acceptable to employers and employees in 551 industrial disputes, strikes, threatened strikes, and lockouts. In 447 of these cases commissioners of conciliation were successful in securing amicable settlements almost immediately. Included in these are 70 cases settled in cooperation with State and local agencies and civic committees, and in only 61 cases were our representatives unable to suggest or arrange settlements to the satisfaction of the parties to the dispute. These 447 cases settled were nearly all adjusted through conferences arranged by the commissioners. And when so adjusted the parties at interest had a new idea or concept of the value of a fair settlement. More than 400,000 workers were involved in the cases adjusted.

I believe you will agree with me that the activities of the Federal Government as a proponent of "peace in industry" and the success of the Federal Conciliation Service and of the State agencies have done much to promote peace and good will and increase the mutual respect and forbearance so essential in the industrial world.

As a matter of fact, American industry has grown so rapidly during the past century and a half that it gave to many the fear that commercial and industrial development would outstrip social development, for upon the latter depends the peace and happiness of mankind. Without peace, it matters not how prosperous or how wealthy a man or nation may become. From water-power to crude machine processes was a tremendous jump. It called for the reorganization of the social structure of industry. From "home work"

to "factory work" was a great change in the very life of the people. Consider, if you will, Elias Howe's sewing machine, first used in home work, and then look upon the giant textile machines and factories of to-day and you will readily comprehend the great mechanical changes that made necessary the progressive social changes in the lives of the people.

And to-day, with the great majority of our population working the year through in field, factory, mine, and mill in diversified occupations, from the humblest worker to the most skilled in the mechanical arts and trades, and with all of the people making up the bulk of the consumers dependent upon some or all of their activities for the output, it becomes evident that the friendship and contentment of the worker and employer are much to be desired if we are to enjoy the fullest measure of prosperity from our great production machinery. We can not expect to see absolute peace obtain at all times in industry; differences are bound to arise. To meet and to solve these misunderstandings, without loss of production or temper, has been the aim of the United States Conciliation Service and of the various State agencies. In the more than 500 cases to which I called your attention I need not tell you that the Secretary of Labor was personally active, not only in handling some of the trade disputes that have been presented for settlement but in advising and approving the recommendations of the director and commissioners. In many cases the Secretary participated and sat in to advise in close deliberations with the interested parties.

The builders of American business enterprises are to be thanked for the energy, effort, and money which they have invested in industry; and the American worker, than whom there is no more efficient, more productive, or better paid workman in the world, is to be commended for his skill and application to the task of producing goods. The States and the Nation may well take seriously the importance of the maintenance of the spirit of cooperation existing between these two groups largely responsible for the tremendous prosperity in the country to-day.

A happy, well-paid, contented worker means efficiency on the job; coupled with efficient management this means satisfactory production for the buyer of labor and man power.

In recognition of this relationship, the representatives of the Conciliation Service strive day in and day out to bring these two groups into closer relationship industrially. We feel that our whole social and industrial life depends largely upon amicable labor relationships, since the great bulk of the Nation's people is affected by some phase of labor life. The general public, too, depends upon these two groups and their attitude toward industrial peace.

Motives other than those of opposition and antagonism should be stimulated in employers and workers; cooperation and good will should be the objective of both, and yet it must be remembered that the hardest contested cases are often settled amicably and a better feeling brought about.

It has been the desire of the Secretary and the conciliation staff to develop a service which would be of genuine help and assistance to all the industrial interests. The representatives of this service have become expert in this field. Their previous experience and thorough

understanding of men and issues, and of the industrial problems of management enable them, on being assigned to a trade dispute, to discern the material matters and throw aside all cloudy issues.

When a Federal representative succeeds in bringing about a meeting of the minds of the adverse parties through arranging a joint conference, and then through advice and suggestion brings into open discussion and negotiation the specific issues involved, a settlement results; but far more important even than this is the extension of the spirit of good will and cooperation. This, my friends, is a far better procedure to follow than to use any compulsory methods, even if the use of such methods were possible.

We readily admit that the best type of conciliation is that which can be had between the directly interested parties, as a family matter, and without the presence or assistance of any outside agency. This, however, is frequently a difficult thing to bring about, especially when personal and group animosities creep into the deliberations. In these cases then it is possible for the Conciliation Service through its commissioners to use its good offices through mediation and to soften what might otherwise be a bitter and prolonged dispute.

Some one has said that tact is often more valuable than talent; and it is a proven fact that disputants who will not speak to each other will open their hearts to a disinterested neutral third party who is charged by law to give favor to none, but rather to give of his best judgment and advice in throwing the light of his experience and understanding upon the rights of each party involved.

In our work we labor to emphasize the fact that the conciliators are industrial peacemakers. They are without authority to make awards or issue mandatory instructions either to employees or employers. In fact, they merely put into play the wide knowledge which they themselves have gained in the world of industry, and offer ways, means, and alternatives which through long experience and diverse observations have been found to be solvents of serious difficulties in times gone by. The common ground of understanding which may prove a proper and just basis upon which to settle each difference is what the department seeks to find and to present—not a persuasion against innate convictions or an influence for or against the complaint of either party.

Thus, as I have said, this policy during the past years has been found helpful time and time again; and the department has been pleased to acknowledge hundreds of instances of approval of its policy on the part of both groups.

These statements are based on the practical experience of the conciliators gathered through a period of 14 years of actual service. In that time 8,000 specific trade disputes have been handled by the Federal Conciliation Service, and many of these which were carried as a single case involved many plants or operations. A record of approximately 87 per cent of successful settlements was the result of the work of the commissioners. During that period we cooperated with other agencies in nearly 800 cases.

Employers and employees constantly call on the representatives of this service for advice concerning questions of industrial relationship or matters on which they hold divergent points of view. The trouble

averted through the counsel of our commissioners in these instances is not set forth in our records.

The harmonious exchange of industrial opinion through official conciliation channels is becoming more and more to be recognized as the common-sense way of adjusting labor controversies. The worker has discovered that he has a voice and a hearing in the submission to a joint conference of his point of view, and the employer has found that the plan of adjustment of the Federal Conciliation Service gives him full and free opportunity to set forth his side of the question in a meeting where both interests are assembled for the one purpose of settling a trade dispute. This exchange of knowledge on the part of each group is rapidly building up a splendid spirit of cooperation on the part of both employers and workers. The spirit of conciliation and cooperation is gradually but surely decreasing the number of strikes and threats of strikes. The Conciliation Service has reached out into virtually every area in the country with its message of mediation. The employers, employees, and public are all convinced that frank, open consideration of differences arising in industry will bring peace into a situation torn with discord. We contemplate with satisfaction hundreds of cases where the ill feelings that years ago were sure to end in strikes and lockouts have in this day and age been assuaged by common-sense methods.

Since there has been considerable discussion during the past two or three years with regard to so-called Federal encroachment upon the rights of States to settle local problems, I consider it important to say to you that it has been the policy of the Federal Department of Labor and its Conciliation Service to act in close harmony with all State agencies, committees, citizens, or any unit which is engaged in ameliorating industrial differences. As a matter of fact, I might say that there is case after case in which the State and Federal conciliatory forces have jointly extended their services in trade disputes and happy results have followed the joint efforts of the two units. The same is true as to private agencies which have had the ear of local disputes but which have needed to call for the broader experience and information of the Federal or State mediators obtained in similar cases elsewhere.

The Secretary of Labor is glad to exchange official courtesies in industrial mediation whenever it is desirable. In fact, there are many cases which could not well be handled otherwise. The State representative is frequently much more familiar with local conditions and local issues, while, on the other hand, the Federal representative has the opportunity of more extensive knowledge in other States in similar industries and of the desires and results obtained from a broader field extending through many States.

I am pleased to say that this attitude of cooperation extends generally and is growing in strength and teamwork. And if it does not exist in any State of which you may be informed, upon word from you the Secretary of Labor will be glad to enter into an informal understanding with the mediation or conciliation forces of the industrial department of any Commonwealth by which reciprocal activities in matters of grave industrial concern may be worked out by the State and Federal governments. Our desire is to strengthen the public regard for joint settlements of trade disputes through effec-

tive conciliation—not to shake the confidence of anyone in the bond of governmental fellowship and its fairness to all concerned.

We have a firm belief, based upon past precedents, that the earnestly desired and sincere type of conciliation as practiced by the Federal and State departments of labor will tend to lessen industrial misery, economic ills, and public discontent.

After 14 years on the job we are convinced that industrial enterprises are experiencing less strife and ill will. We know that the common interests of the labor and of the employer groups in production are too closely interwoven to permit either group to become so adamant that it will not listen to reason. The idea of closer cooperation industrially is now pervading both groups. Each is necessary to the other. Each is the complement of the other. Their interests in production travel in the same direction. The preservation of this idea is merely good will and mutual respect in another form. And this is that for which we are striving—not independently, but cooperatively—as spokes of the great American wheel of progress. The Nation is the hub. The rim is the Federal and State governments, building together all the parts and enabling the Nation to roll on its way to a greater place in the great world of brotherhood, industry, good will, and permanent peace.

## DISCUSSION

**Mr. PLANT.** I would like to ask Mr. Moffitt what is the form of procedure under which the conciliators are brought in.

**Mr. MOFFITT.** There is not one specific form. No two cases are alike. Sometimes requisition to send a representative is made on the Department of Labor by the employer. Then, at various times where the employees are on a strike, or where there is an impending strike, we send a mediator in to bring both parties together. Then the procedure, under the request of the employer, is to go to the employee who is on strike and ask if he will accept the services of the Government. If they accept the mediation service of the Government, you go to those requesting mediation and ask that they hold a meeting jointly with the opposite side to discuss the merits and demerits of the controversy. Is that clear?

**Mr. BALLANTYNE.** In the event of one side accepting mediation and the other refusing, what is the *modus operandi* under the act?

**Mr. MOFFITT.** We would continue to urge upon them the good offices of the Department of Labor until they finally agree; we stay with them until they do accept. If they do not accept, we get a proposal from the employer and bring it back to the workingmen, which means a counterproposal to bring back, and in that way we adjust the trouble.

**Mr. DAVIE.** Did that plan work out in the trouble they had in Passaic?

**Mr. MOFFITT.** My colleague handled that case for the Government. We found upon a thorough investigation that the situation there was not a movement to benefit the worker, but it was a political movement to establish a communist section in the city of Passaic, to make a communist headquarters there. On the 17th of March last

those representing the Department of Labor succeeded in having the employers come to Washington to discuss the merits and demerits of the controversy, the result of which was that the employers agreed to give back to the strikers the 10 per cent that was taken from them.

The proposal was for all the men to return to work and receive that 10 per cent back. Their leaders refused to let them go back, which proved upon the investigation of the Federation of Churches of Christ, who made a thorough investigation of the matter, that the purpose of taking those people out of the mills was not to benefit their condition but to get a revolutionary spirit into them and teach the children songs.

The leader of that strike, I might say, was Mr. Weisbord. I met him on a case over in Union City. He was trying to introduce communism there, but I succeeded in having the employers agree to the terms of the paper, and there was nothing else for him to do but get out.

[President Davie took the chair.]

The CHAIRMAN. Under unfinished business, we will listen to the report of the committee on resolutions.

[The following resolutions were read and adopted.]

#### REPORT OF COMMITTEE ON RESOLUTIONS

1. *Resolved*, That the association extend its appreciation and sincere thanks to the Department of Labor of New Jersey, which, through its untiring efforts, has contributed to the pleasure and well-being of the delegates in convention at Paterson.

2. *Resolved*, That the association extend its appreciation and sincere thanks to the Chamber of Commerce of Paterson, its officers and personnel, who through their untiring efforts have contributed to the pleasure and well-being of the delegates in convention at Paterson.

3. *Resolved*, That the association extend its appreciation and sincere thanks to the Singer Sewing Machine Co. for the courtesy of inspection of their factory and delightful luncheon served to the delegates.

4. *Resolved*, That Dr. Andrew F. McBride, commissioner of labor of New Jersey, be extended a special vote of thanks for his untiring efforts and successful conduct of the Fourteenth Annual Convention of the Association of Governmental Labor Officials of the United States and Canada, held at Paterson.

5. *Resolved*, That the association extend a special vote of thanks to the following young ladies: Miss Jeannette Van Duren, chamber of commerce; Miss Rose H. Brooks, chamber of commerce; Miss Sarah Lennon, department of labor, who so kindly assisted in registering and entertaining delegates to the convention and materially added to its success.

6. *Resolved*, That John S. B. Davie, commissioner of labor of New Hampshire, be extended a special vote of thanks for his very efficient administration of the office of president of this association, and that he be made an honorary member of the association.

7. *Resolved*, That the association extend to Hon. Ethelbert Stewart, Commissioner of the Bureau of Labor Statistics, United States Department of Labor, its thanks for his courtesy in printing the thirteenth annual report of the proceedings of the convention held at Columbus, Ohio; and be it further

*Resolved*, That he be requested to print the proceedings of the fourteenth annual convention, held at Paterson, N. J.

The committee also desires to make the following recommendations regarding matters referred to it by the president:

We recommend that the committee on statistics be continued to make a further report upon completion of the survey now being made under the auspices of the American Engineering Standards Committee.

It is recommended that the committee on legal aid be continued and work with the National Association of Legal Aid on a general survey of this subject to be reported at subsequent conventions.

The CHAIRMAN. We will now have the report of the committee on officers' reports.

[The following report was read and adopted.]

#### REPORT OF COMMITTEE ON OFFICERS' REPORTS

The committee has examined the accounts and financial statement of the secretary-treasurer and find them correct in every detail.

A summary of the secretary's report shows that States and Provinces paid dues during the year amounting to \$470, that the funds on hand June 7, 1926, were \$686.11, and interest on savings account is \$3.05, making total receipts \$1,159.16; amount in the savings account \$316.88, and in checking account \$243.89.

The disbursements, including printing, postage, stenographic services, traveling expenses, salary of the secretary, etc., amount to \$598.39, leaving balance in the treasury May 31, 1927, \$560.77.

A total of 54 delegates have registered at this convention, representing 16 States and Provinces, the Federal bureau of Canada, and the Federal bureau of the United States.

The committee wishes to express its approval of the efficiency of the secretary-treasurer for the manner in which records have been kept and for the executive ability displayed in the conduct of the business of the association.

We commend the work of the president and other officers of the association whose untiring efforts brought forth such a splendid and constructive program.

We would also express our deep appreciation to the chamber of commerce and citizens of Paterson who so generously gave of their time to the comfort and splendid entertainment of the delegates and guests.

We especially wish to express our gratitude to Doctor McBride, who so successfully arranged and carried out this wonderful entertainment.

The CHAIRMAN. We will now have the report of the committee on constitution and by-laws.

#### REPORT OF COMMITTEE ON CONSTITUTION AND BY-LAWS

We have one change to make in the constitution—amend Article III, section 1 (a), to read as follows: "(a) Members of the United States Department of Labor, United States Bureau of Mines, and the Department of Labor of the Dominion of Canada; such representatives of the 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."

We, your committee on constitution and by-laws recommend the adoption of the foregoing submission.

[The report was adopted as read.]

## ELECTION OF OFFICERS

The following officers were elected for the ensuing year :

*President*—H. M. Stanley, commissioner department of commerce and labor, Atlanta, Ga.

*First vice president*—Andrew F. McBride, commissioner department of labor, Trenton, N. J.

*Second vice president*—Maud Swett, field director woman and child labor, industrial commission, Milwaukee, Wis.

*Third vice president*—James H. H. Ballantyne, deputy minister department of labor, Toronto, Ontario.

*Fourth vice president*—W. A. Rooksberry, commissioner bureau of labor and statistics, Little Rock, Ark.

*Fifth vice president*—Charlotte Carr, director bureau of women and children, Harrisburg, Pa.

*Secretary-treasurer*—Louise E. Schutz, superintendent division of women and children, industrial commission, St. Paul, Minn.

[After selecting New Orleans as the place for the next convention, the convention adjourned.]

## HONORARY LIFE MEMBERS

Frank E. Hoffman, Minnesota.

Dr. C. B. Connelley, Pennsylvania.

John Hopkins Hall, jr., Virginia.

Linna Bresette, Kansas.

H. R. Witter, Ohio.

Richard Lansburgh, Pennsylvania.

Alice MacFarland, Kansas.

American representative International Labor Office.

John S. B. Davie, New Hampshire.

## APPENDIX

---

### LIST OF PERSONS WHO ATTENDED THE FOURTEENTH ANNUAL CONVENTION OF THE ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS

#### CANADA

##### *Federal Department of Labor*

Frank J. Plant, chief labor intelligence branch, Ontario.

##### *Ontario*

James H. H. Ballantyne, deputy minister of labor, Ontario.

#### UNITED STATES

##### *District of Columbia*

Leifur Magnusson, American representative, International Labor Office.

##### *Federal bureaus, Washington, D. C.*

Mary Anderson, Director Women's Bureau.

Charles E. Baldwin, Assistant Commissioner Bureau of Labor Statistics.

E. N. Matthews, Director Industrial Research Division, Children's Bureau.

John A. Moffitt, Conciliation Service.

Margaret Ritscher, Children's Bureau.

Ethelbert Stewart, Commissioner Bureau of Labor Statistics.

##### *Alabama*

Walter H. Monroe, workmen's compensation division.

##### *Arkansas*

W. A. Rooksberry, commissioner bureau of labor statistics, Little Rock.

##### *Delaware*

Mr. Bredever, Atlas Powder Co.

##### *Georgia*

L. J. Kilburn, safety inspector department of commerce and labor, Atlanta.

H. M. Stanley, commissioner department of commerce and labor, Atlanta.

T. E. Whitaker, industrial commission, Atlanta.

##### *Illinois*

R. W. Hamilton, division of factory inspection, Chicago.

##### *Kansas*

Mrs. Daisy L. Gulick, director women's work and factory inspection, public  
service commission, Topeka.

Mrs. J. E. Rogers, Topeka.

*Louisiana*

Sam Fowlkes, New Orleans Convention Bureau, New Orleans.  
 Frank E. Wood, commissioner bureau of labor and industrial relations, New Orleans.

*Massachusetts*

Ethel M. Johnson, assistant commissioner department of labor and industries, Boston.  
 John P. Meade, director division of industrial safety, Boston.

*Michigan*

E. J. Brock, department of labor and industry, Lansing.

*Minnesota*

Henry McColl, commissioner industrial commission, St. Paul.  
 Louise E. Schutz, superintendent division of women and children, industrial commission, St. Paul.

*New Hampshire*

John S. B. Davie, commissioner bureau of labor, Concord.  
 Mrs. John S. B. Davie.

*New Jersey*

## Department of Labor:

Maurice J. Angland.  
 Hugh Arthur.  
 Eleanor E. Blauvelt.  
 Henry Booth.  
 Mary E. Branchoff.  
 Marie G. Buckalew.  
 Henry Clussman.  
 Charles E. Corbin.  
 William H. Covert.  
 P. J. Desgnan.  
 H. J. Dougham.  
 Joseph Dowd.  
 John Dwing.  
 Russell J. Eldridge, director, employment.  
 Elizabeth Ferry.  
 Leo. J. Gaul.  
 James A. T. Gribbin.  
 Ellen Hardman.  
 Crowell M. Haslett.  
 Hannah F. Jones.  
 John W. Kent.  
 Mathilde Larsen.  
 Sara Lennan.  
 Andrew F. McBride, M. D., commissioner.  
 Mary McGowan.  
 Frank Mobrius.  
 Laura W. Moore.  
 Mrs. M. Nichols.  
 Edwin J. O'Brien.  
 Margaret O'Connell.  
 Joseph Pawloski.  
 John W. Price.  
 John Roach, deputy commissioner.  
 Theodore Schanbacker.  
 Joseph Scott.  
 Charles Scullin.

Mrs. Nellie Slabeck.  
 George J. Spedel.  
 Joseph Spitz.  
 John J. Stahl.  
 W. E. Stubbs.  
 William Van Assen.  
 Edward Walker.  
 Charles H. Weeks, deputy commissioner.  
 Colin McLean, mayor of Paterson.  
 A. Harry Moore, Governor of New Jersey.  
 John S. Ferguson, vice president New Jersey Manufacturers' Association.  
 Arthur A. Quinn, New Jersey Federation of Labor.

*New York*

J. B. Andrews, American Association for Labor Legislation, New York.  
 Cornelius Cochrane, American Association for Labor Legislation, New York.  
 Richard A. Flinn, chief, division of employment, department of labor.  
 George H. Hall, National Child Labor Committee, New York.  
 James Hamilton, industrial commissioner, New York.  
 Mrs. Florence Kelley, National Consumers League, New York.  
 Jeanie Minor, New York Child Labor Committee, New York.  
 H. W. Mowery, American Abrasive Metal Works, New York.  
 Robert B. Northrup, safety inspector, department of labor.  
 E. B. Patton, director bureau of labor statistics, New York.  
 Nelle Swartz, director bureau of women in industry, department of labor.  
 Wiley Swift, National Child Labor Committee, New York.  
 Genevieve Walmsley, National Child Labor Committee, New York.  
 Gertrude Folks Zimand, National Child Labor Committee, New York.

*Ohio*

James Wilson, seventh vice president American Federation of Labor, Cincinnati.

*Pennsylvania*

John Bradway, legal aid bureau, Philadelphia.  
 Charlotte Carr, director bureau of women and children, department of labor and industry, Harrisburg.

*Virginia*

William Boncer, first vice president, Mine Inspectors' Institute of America, department of labor and industry, Richmond.  
 John Gribben, Newport News.  
 John H. Hall, jr., commissioner, department of labor and industry, Richmond.  
 Louis Loeb, M. D., Newport News.  
 T. S. Wharton, public employment service, Richmond.

*Wisconsin*

Maud Swett, field director women and child labor industrial commission, Milwaukee.  
 Voyta Wrabetz, industrial commission, Madison.



## LIST OF BULLETINS OF THE BUREAU OF LABOR STATISTICS

*The following is a list of all bulletins of the Bureau of Labor Statistics published since July, 1912, except that in the case of bulletins giving the results of periodic surveys of the bureau only the latest bulletin on any one subject is here listed.*

*A complete list of the reports and bulletins issued prior to July, 1921, as well as the bulletins published since that date, will be furnished on application. Bulletins marked thus (\*) are out of print.*

### Conciliation and Arbitration (including strikes and lockouts).

- \*No. 124. Conciliation and arbitration in the building trades of Greater New York. [1913.]
- \*No. 133. Report of the industrial council of the British Board of Trade on its inquiry into industrial agreements. [1913.]
- No. 139. Michigan copper district strike. [1914.]
- No. 144. Industrial court of the cloak, suit, and skirt industry of New York City. [1914.]
- No. 145. Conciliation, arbitration, and sanitation in the dress and waist industry of New York City. [1914.]
- No. 191. Collective bargaining in the anthracite coal industry. [1916.]
- \*No. 198. Collective agreements in the men's clothing industry. [1916.]
- No. 233. Operation of the industrial disputes investigation act of Canada. [1918.]
- No. 255. Joint industrial councils in Great Britain. [1919.]
- No. 283. History of the Shipbuilding Labor Adjustment Board, 1917 to 1919.
- No. 287. National War Labor Board: History of its formation, activities, etc. [1921.]
- No. 303. Use of Federal power in settlement of railway labor disputes. [1922.]
- No. 341. Trade agreement in the silk-ribbon industry of New York City. [1923.]
- No. 402. Collective bargaining by actors. [1926.]
- No. 448. Trade agreements, 1926.

### Cooperation.

- No. 313. Consumers' cooperative societies in the United States in 1920.
- No. 314. Cooperative credit societies in America and in foreign countries. [1922.]
- No. 437. Cooperative movement in the United States in 1925 (other than agricultural).

### Employment and Unemployment.

- \*No. 109. Statistics of unemployment and the work of employment offices in the United States. [1913.]
- No. 172. Unemployment in New York City, N. Y. [1915.]
- \*No. 183. Regularity of employment in the women's ready-to-wear garment industries. [1915.]
- \*No. 195. Unemployment in the United States. [1916.]
- No. 196. Proceedings of the Employment Managers' Conference held at Minneapolis, Minn., January 19 and 20, 1916.
- \*No. 202. Proceedings of the conference of Employment Managers' Association of Boston, Mass., held May 10, 1916.
- No. 206. The British system of labor exchanges. [1916.]
- \*No. 227. Proceedings of the Employment Managers' Conference, Philadelphia, Pa., April 2 and 3, 1917.
- No. 235. Employment system of the Lake Carriers' Association. [1918.]
- \*No. 241. Public employment offices in the United States. [1918.]
- No. 247. Proceedings of Employment Managers' Conference, Rochester, N. Y., May 9-11, 1918.
- No. 310. Industrial unemployment: A statistical study of its extent and causes. [1922.]
- No. 409. Unemployment in Columbus, Ohio, 1921 to 1925.

### Foreign Labor Laws.

- \*No. 142. Administration of labor laws and factory inspection in certain European countries. [1914.]

**Housing.**

- \*No. 158. Government aid to home owning and housing of working people in foreign countries. [1914.]
- No. 268. Housing by employees in the United States. [1920.]
- No. 295. Building operations in representative cities in 1920.
- No. 368. Building permits in the principal cities of the United States in [1921 to] 1923.
- No. 424. Building permits in the principal cities of the United States in [1924 and] 1925.
- No. 449. Buildings permits in the principal cities of the United States in [1925 and] 1926.

**Industrial Accidents and Hygiene.**

- \*No. 104. Lead poisoning in potteries, tile works, and porcelain enameled sanitary ware factories. [1912.]
- No. 120. Hygiene of the painters' trade. [1913.]
- \*No. 127. Dangers to workers from dusts and fumes, and methods of protection. [1913.]
- \*No. 141. Lead poisoning in the smelting and refining of lead. [1914.]
- \*No. 157. Industrial accident statistics. [1915.]
- \*No. 165. Lead poisoning in the manufacture of storage batteries. [1914.]
- \*No. 179. Industrial poisons used in the rubber industry. [1915.]
- No. 188. Report of British departmental committee on the danger in the use of lead in the painting of buildings. [1916.]
- \*No. 201. Report of committee on statistics and compensation insurance cost of the International Association of Industrial Accident Boards and Commissions. [1916.]
- \*No. 207. Causes of death by occupation. [1917.]
- \*No. 209. Hygiene of the printing trades. [1917.]
- No. 219. Industrial poisons used or produced in the manufacture of explosives. [1917.]
- No. 221. Hours, fatigue, and health in British munition factories. [1917.]
- No. 230. Industrial efficiency and fatigue in British munition factories. [1917.]
- \*No. 231. Mortality from respiratory diseases in dusty trades (inorganic dusts). [1918.]
- No. 234. Safety movement in the iron and steel industry, 1907 to 1917.
- No. 236. Effect of the air hammer on the hands of stonecutters. [1918.]
- No. 249. Industrial health and efficiency. Final report of British Health of Munition Workers' Committee. [1919.]
- \*No. 251. Preventable death in the cotton-manufacturing industry. [1919.]
- No. 256. Accidents and accident prevention in machine building. [1919.]
- No. 267. Anthrax as an occupational disease. [1920.]
- No. 276. Standardization of industrial accident statistics. [1920.]
- No. 280. Industrial poisoning in making coal-tar dyes and dye intermediates. [1921.]
- No. 291. Carbon-monoxide poisoning. [1921.]
- No. 293. The problem of dust phthisis in the granite-stone industry. [1922.]
- No. 298. Causes and prevention of accidents in the iron and steel industry, 1916-1919.
- No. 306. Occupational hazards and diagnostic signs: A guide to impairments to be looked for in hazardous occupations. [1922.]
- No. 339. Statistics of industrial accidents in the United States. [1923.]
- No. 392. Survey of hygienic conditions in the printing trades. [1925.]
- No. 405. Phosphorus necrosis in the manufacture of fireworks and in the preparation of phosphorus. [1926.]
- No. 425. Record of industrial accidents in the United States to 1925.
- No. 426. Deaths from lead poisoning. [1927.]
- No. 427. Health survey of the printing trades, 1922 to 1925.
- No. 428. Proceedings of the Industrial Accident Prevention Conference, held at Washington, D. C., July 14-16, 1926.

**Industrial Relations and Labor Conditions.**

- No. 237. Industrial unrest in Great Britain. [1917.]
- No. 340. Chinese migrations, with special reference to labor conditions. [1923.]
- No. 349. Industrial relations in the West Coast lumber industry. [1923.]
- No. 361. Labor relations in the Fairmont (W. Va.) bituminous-coal field. [1924.]
- No. 380. Postwar labor conditions in Germany. [1925.]

**Industrial Relations and Labor Conditions—Continued.**

- No. 383. Works council movement in Germany. [1925.]
- No. 384. Labor conditions in the shoe industry in Massachusetts, 1920-1924.
- No. 399. Labor relations in the lace and lace-curtain industries in the United States. [1925.]

**Labor Laws of the United States (including decisions of courts relating to labor).**

- No. 211. Labor laws and their administration in the Pacific States. [1917.]
- No. 229. Wage-payment legislation in the United States. [1917.]
- No. 285. Minimum-wage laws of the United States: Construction and operation. [1921.]
- No. 321. Labor laws that have been declared unconstitutional. [1922.]
- No. 322. Kansas Court of Industrial Relations. [1923.]
- No. 343. Laws providing for bureaus of labor statistics, etc. [1923.]
- No. 370. Labor laws of the United States, with decisions of courts relating thereto. [1925.]
- No. 408. Laws relating to payment of wages. [1926.]
- No. 434. Labor legislation of 1926.
- No. 444. Decisions of courts and opinions affecting labor, 1926.

**Proceedings of Annual Conventions of the Association of Governmental Labor Officials of the United States and Canada.**

- \*No. 266. Seventh, Seattle, Wash., July 12-15, 1920.
- No. 307. Eighth, New Orleans, La., May 2-6, 1921.
- No. 323. Ninth, Harrisburgh, Pa., May 22-26, 1922.
- No. 352. Tenth, Richmond, Va., May 1-4, 1923.
- No. 389. Eleventh, Chicago, Ill., May 19-23, 1924.
- No. 411. Twelfth, Salt Lake City, Utah, August 13-15, 1925.
- No. 429. Thirteenth, Columbus, Ohio, June 7-10, 1926.

**Proceedings of Annual Meetings of the International Association of Industrial Accident Boards and Commissions.**

- No. 210. Third, Columbus, Ohio, April 25-28, 1916.
- No. 248. Fourth, Boston, Mass., August 21-25, 1917.
- No. 264. Fifth, Madison, Wis., September 24-27, 1918.
- \*No. 273. Sixth, Toronto, Canada, September 23-26, 1919.
- No. 281. Seventh, San Francisco, Calif., September 20-24, 1920.
- No. 304. Eighth, Chicago, Ill., September 19-23, 1921.
- No. 333. Ninth, Baltimore, Md., October 9-13, 1922.
- No. 359. Tenth, St. Paul, Minn., September 24-26, 1923.
- No. 385. Eleventh, Halifax, Nova Scotia, August 26-28, 1924.
- No. 395. Index to proceedings, 1914-1924.
- No. 406. Twelfth, Salt Lake City, Utah, August 17-20, 1925.
- No. 432. Thirteenth, Hartford, Conn., September 14-17, 1926.

**Proceedings of Annual Meetings of International Association of Public Employment Services.**

- No. 192. First, Chicago, December 19 and 20, 1913; Second, Indianapolis, September 24 and 25, 1914; Third, Detroit, July 1 and 2, 1915.
- No. 220. Fourth, Buffalo, N. Y., July 20 and 21, 1916.
- No. 311. Ninth, Buffalo, N. Y., September 7-9, 1921.
- No. 337. Tenth, Washington, D. C., September 11-13, 1922.
- No. 335. Eleventh, Toronto, Canada, September 4-7, 1923.
- No. 400. Twelfth, Chicago, Ill., May 19-23, 1924.
- No. 414. Thirteenth, Rochester, N. Y., September 15-17, 1925.

**Productivity of Labor.**

- No. 356. Productivity costs in the common-brick industry. [1924.]
- No. 360. Time and labor costs in manufacturing 100 pairs of shoes, 1923.
- No. 407. Labor cost of production and wages and hours of labor in paper box-board industry. [1925.]
- No. 412. Wages, hours, and productivity in the pottery industry, 1925.
- No. 441. Productivity of labor in the glass industry. [1927.]

**Retail Prices and Cost of Living.**

- \*No. 121. Sugar prices, from refiner to consumer. [1913.]
- \*No. 130. Wheat and flour prices, from farmer to consumer. [1913.]
- No. 164. Butter prices, from producer to consumer. [1914.]
- No. 170. Foreign food prices as affected by the war. [1915.]
- No. 357. Cost of living in the United States. [1924.]
- No. 369. The use of cost-of-living figures in wage adjustments. [1925.]
- No. 445. Retail prices, 1890 to 1926.

### **Safety Codes.**

- \*No. 331. Code of lighting: Factories, mills, and other work places.
- No. 336. Safety code for the protection of industrial workers in foundries.
- No. 350. Specifications of laboratory tests for approval of electric headlighting devices for motor vehicles.
- No. 351. Safety code for the construction, care, and use of ladders.
- No. 364. Safety code for mechanical-power transmission apparatus.
- No. 375. Safety code for laundry machinery and operation.
- No. 378. Safety code for woodworking plants.
- No. 382. Code of lighting school buildings.
- No. 410. Safety code for paper and pulp mills.
- No. 430. Safety code for power presses and foot and hand presses.
- No. 433. Safety codes for the prevention of dust explosions.
- No. 436. Safety code for the use, care, and protection of abrasive wheels.
- No. 447. Safety code for rubber mills and calenders.
- No. 451. Safety code for forging and hot-metal stamping.

### **Vocational and Workers' Education.**

- \*No. 159. Short-unit courses for wage earners, and a factory school experiment. [1915.]
- \*No. 162. Vocational education survey of Richmond, Va. [1915.]
- No. 199. Vocational education survey of Minneapolis, Minn. [1916.]
- No. 271. Adult working-class education in Great Britain and the United States. [1920.]

### **Wages and Hours of Labor.**

- \*No. 146. Wages and regularity of employment and standardization of piece rates in the dress and waist industry of New York City. [1914.]
- \*No. 147. Wages and regularity of employment in the cloak, suit, and skirt industry. [1914.]
- No. 161. Wages and hours of labor in the clothing and cigar industries, 1911 to 1913.
- No. 163. Wages and hours of labor in the building and repairing of steam railroad cars, 1907 to 1913.
- \*No. 190. Wages and hours of labor in the cotton, woolen, and silk industries, 1907 to 1914.
- No. 204. Street-railway employment in the United States. [1917.]
- No. 225. Wages and hours of labor in the lumber, millwork, and furniture industries, 1915.
- \*No. 265. Industrial survey in selected industries in the United States, 1919.
- No. 297. Wages and hours of labor in the petroleum industry, 1920.
- No. 356. Productivity costs in the common-brick industry. [1924.]
- No. 358. Wages and hours of labor in the automobile-tire industry, 1923.
- No. 360. Time and labor costs in manufacturing 100 pairs of shoes, 1923.
- No. 365. Wages and hours of labor in the paper and pulp industry, 1923.
- No. 394. Wages and hours of labor in metaliferous mines, 1924.
- No. 407. Labor cost of production and wages and hours of labor in the paper box-board industry. [1925.]
- No. 412. Wages, hours, and productivity in the pottery industry, 1925.
- No. 413. Wages and hours of labor in the lumber industry in the United States, 1925.
- No. 416. Hours and earnings in anthracite and bituminous coal mining, 1922 and 1924.
- No. 421. Wages and hours of labor in the slaughtering and meat-packing industry, 1925.
- No. 422. Wages and hours of labor in foundries and machine shops, 1925.
- No. 431. Union scale of wages and hours of labor, May 15, 1926.
- No. 435. Wages and hours of labor in the men's clothing industry, 1911 to 1926.
- No. 438. Wages and hours of labor in the motor-vehicle industry, 1925.
- No. 442. Wages and hours of labor in the iron and steel industry, 1907 to 1925.
- No. 443. Wages and hours of labor in woolen and worsted goods manufacturing, 1910 to 1926.
- No. 446. Wages and hours of labor in cotton-goods manufacturing, 1910 to 1926.
- No. 450. Wages and hours of labor in the boot and shoe industry, 1907 to 1926. (In press.)
- No. 452. Wages and hours of labor in the hosiery and underwear industries, 1907 to 1926.
- No. 454. Hours and earnings in bituminous-coal mining, 1922, 1924, and 1926. (In press.)

### **Welfare Work.**

- \*No. 123. Employers' welfare work. [1913.]
- No. 222. Welfare work in British munitions factories. [1917.]
- \*No. 250. Welfare work for employees in industrial establishments in the United States. [1919.]

### **Wholesale Prices.**

- No. 284. Index numbers of wholesale prices in the United States and foreign countries. [1921.]
- No. 440. Wholesale prices, 1890 to 1926.
- No. 453. Revised index numbers of wholesale prices, 1923 to July, 1927.

### **Women and Children in Industry.**

- No. 116. Hours, earnings, and duration of employment of wage-earning women in selected industries in the District of Columbia. [1913.]
- \*No. 117. Prohibition of night work of young persons. [1913.]
- No. 118. Ten-hour maximum working-day for women and young persons. [1913.]
- No. 119. Working hours of women in the pea canneries of Wisconsin. [1913.]
- \*No. 122. Employment of women in power laundries in Milwaukee. [1913.]
- No. 160. Hours, earnings, and conditions of labor of women in Indiana mercantile establishments and garment factories. [1914.]
- \*No. 167. Minimum-wage legislation in the United States and foreign countries. [1915.]
- No. 175. Summary of the report on conditions of woman and child wage earners in the United States. [1915.]
- \*No. 176. Effect of minimum-wage determinations in Oregon. [1915.]
- \*No. 180. The boot and shoe industry in Massachusetts as a vocation for women. [1915.]
- \*No. 182. Unemployment among women in department and other retail stores of Boston, Mass. [1916.]
- No. 193. Dressmaking as a trade for women in Massachusetts. [1916.]
- No. 215. Industrial experience of trade-school girls in Massachusetts. [1917.]
- \*No. 217. Effect of workmen's compensation laws in diminishing the necessity of industrial employment of women and children. [1918.]
- No. 223. Employment of women and juveniles in Great Britain during the war. [1917.]
- No. 253. Women in the lead industries. [1919.]

### **Workmen's Insurance and Compensation (including laws relating thereto).**

- No. 101. Care of tuberculous wage earners in Germany. [1912.]
- \*No. 102. British national insurance act, 1911.
- No. 103. Sickness and accident insurance law of Switzerland. [1912.]
- No. 107. Law relating to insurance of salaried employees in Germany. [1913.]
- \*No. 155. Compensation for accidents to employees of the United States. [1914.]
- No. 212. Proceedings of the conference on social insurance called up by the International Association of Industrial Accident Boards and Commissions, Washington, D. C., December 5-9, 1916.
- No. 243. Workmen's compensation legislation in the United States and foreign countries, 1917 and 1918.
- No. 301. Comparison of workmen's compensation insurance and administration. [1922.]
- No. 312. National health insurance in Great Britain, 1911 to 1921.
- No. 379. Comparison of workmen's compensation laws of the United States as of January 1, 1925.
- No. 423. Workmen's compensation legislation of the United States and Canada as of July 1, 1926.

### **Miscellaneous Series.**

- \*No. 174. Subject index of the publications of the United States Bureau of Labor Statistics up to May 1, 1915.
- No. 208. Profit sharing in the United States. [1916.]
- No. 242. Food situation in central Europe, 1917.
- No. 254. International labor legislation and the society of nations. [1919.]
- No. 268. Historical survey of international action affecting labor. [1920.]
- No. 282. Mutual relief associations among Government employees in Washington, D. C. [1921.]
- \*No. 299. Personnel research agencies: A guide to organized research in employment management, industrial relations, training, and working conditions. [1921.]

- No. 319. The Bureau of Labor Statistics: Its history, activities, and organization. [1922.]
- No. 326. Methods of procuring and computing statistical information of the Bureau of Labor Statistics. [1923.]
- No. 342. International Seamen's Union of America: A study of its history and problems. [1923.]
- No. 346. Humanity in government. [1923.]
- No. 372. Convict labor in 1923.
- No. 386. Cost of American almshouses. [1925.]
- No. 398. Growth of legal-aid work in the United States. [1926.]
- No. 401. Family allowances in foreign countries. [1926.]
- No. 420. Handbook of American trade-unions. [1926.]
- No. 439. Handbook of labor statistics, 1924 to 1926.