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**LABOR LEGISLATION
OF 1928**



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BULLETIN OF THE U. S. BUREAU OF LABOR STATISTICS

NO. 486

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REVIEW OF LABOR LEGISLATION OF 1928

INTRODUCTION

Regular legislative sessions were held in 1928 in nine States¹ and in Porto Rico. The Seventieth Congress was in session also during the year. Extra sessions were held in 12 States.² Legislation of interest to labor was enacted in every State in which the legislature met except in Arizona,³ Arkansas,³ California, Iowa, Kansas, Nevada, and North Dakota.

As was the case with Bulletin No. 403, Labor Legislation of 1925, Bulletin No. 434, Labor Legislation of 1926, and Bulletin No. 470, Labor Legislation of 1927, this bulletin is essentially a supplement to Bulletin No. 370, entitled "Labor Laws of the United States With Decisions of Courts Relating Thereto," containing reprints, abridgments, digests, and references to all labor legislation, with the exception of workmen's compensation laws, up to the beginning of the year 1925.

The classification of subjects and the method of treatment found in Bulletin No. 370 are followed closely in this bulletin. The subject matter is divided into two parts, the first part entitled "Digests and Summaries of Certain Classes of Laws Affecting Labor," which is of general interest to labor, and the second part entitled "Text and Abridgment of Labor Laws," containing laws which more directly affect labor. The laws in Part I are classified under appropriate subject headings, while those of Part II are found under the State headings.

The cumulative index provides a ready reference to the laws found in this bulletin as well as to those published in the preceding bulletins.

Workmen's compensation legislation has been considered of sufficient importance to receive separate treatment. Bulletin No. 423, entitled "Workmen's Compensation Legislation of the United States and Canada, as of July 1, 1926," contains an analysis, a comparison, and the text of the workmen's compensation laws in the United

¹ Kentucky, Louisiana, Massachusetts, Mississippi, New Jersey, New York, Rhode Island, South Carolina, and Virginia.

² Arizona, Arkansas, California, Illinois, Iowa, Kansas, Louisiana, Mississippi, Nevada, New Jersey, North Dakota, and Wisconsin.

³ The bureau has been unable to obtain copies of legislation passed, but information available indicates no labor legislation was enacted.

States and Canada. An article appearing in the *Monthly Labor Review* for January, 1928 (pp. 17-33), presents an analysis of this type of legislation for the year 1927 and in the issue of December, 1928 (pp. 107-112), the legislation of 1928 is given.

A bulletin bringing Bulletin No. 423, on workmen's compensation, up to date is now being compiled and will be published in the near future.

PART I.—DIGESTS AND SUMMARIES OF CERTAIN CLASSES OF LAWS AFFECTING LABOR

This part is a supplement to Part I of Bulletin No. 370, and the same general arrangement of subject matter is followed. The introductory statements found in Bulletin No. 370 continue to be applicable and therefore are not here repeated.

VOCATIONAL EDUCATION

Virginia.—Ch. 471, sec. 625. The school laws of Virginia were codified and provisions concerning vocational education are now sec. 625 of the code.

MOTHERS' PENSIONS

Illinois.—P. 3. Amends sec. 16, p. 127, Acts of 1913 (sec. 313, ch. 23, R. S. 1917). Lifted the limitation on the property tax from three-tenths of 1 mill on the dollar to two-fifths of 1 mill on the dollar for the mothers' pension fund. Makes additional provisions as to tax.

Kentucky.—Ch. 17. New act. Also repeals ch. 107, Acts of 1922. Abolishes the Kentucky Child Welfare Commission and creates in its place a bureau to be known as the Kentucky Children's Bureau. Also provides for the administration of mothers' aid throughout the State.

Louisiana.—Act No. 228. Amends secs. 4 and 5, Act No. 209, Laws of 1920, changing "shall" to "may" in provisions for payment of relief.

EXAMINATION, LICENSING, ETC., OF WORKMEN

AVIATORS

Illinois.—P. 85. New act. Regulates aviation and licensing of aviators.

Massachusetts.—Ch. 388. Amends ch. 90, secs. 35 to 59, G. L. (as amended by ch. 534, Acts of 1922), relative to aircraft and pilots' licenses.

Mississippi.—Ch. 208. New act. Provides for licensing of pilots.

New Jersey.—Ch. 63. New act. Operator must be licensed.

Virginia.—Ch. 463. New act. Provides for the licensing of aviators.

BARBERS

Louisiana.—Act No. 247. New act. Regulates the practice of barbering, and provides for the examination and licensing of barbers and fixes certain license fees.

BEAUTY PARLORS

Louisiana.—Act No. 245. Amends Act No. 135, secs. 2, 3 (as amended by Act No. 95, Laws of 1926), 4, 5, 6, 7, 14, and 18, Acts of 1924. Many changes made in existing laws.

Rhode Island.—Ch. 1211. Amends ch. 765, sec. 8, P. L. 1926. Provides for making rules and regulations relative to use of appliances.

CHAUFFEURS

Louisiana.—Act No. 296. New act. Licenses to be issued by Louisiana Highway Commission, and no one to be issued a license who is not at least 18 years of age and who fails to pass such examination as the department sees fit to give.

New York.—Ch. 867. Amends ch. 30, sec. 289, Acts of 1909 (ch. 25, Con. L.), as added by ch. 374, Acts of 1910 (amended by ch. 319, Acts of 1925). Makes number of changes.

Porto Rico.—Act No. 66. Amends sec. 10 of an act as amended by act No. 9, Acts of 1926. Schedule of fees for licenses.

Virginia.—Ch. 38. Amends ch. 149, sec. 29, subsec. (e), Acts of 1926. Provides that such license fees and taxes upon vehicles shall be charged as the proper authorities determine.

Ch. 531. Also amends ch. 149, sec. 29, Acts of 1926.

PLUMBERS

Massachusetts.—Ch. 76. Amends ch. 142, G. L., regarding licenses, examinations, etc., of plumbers.

EMPLOYEES ON VESSELS

Louisiana.—Act No. 198. New act. Regulates river port pilotage and provides for the licensing of river pilots and also provides for certain license fees. Pilots are forbidden to solicit employment.

New Jersey.—Ch. 247, p. 461. Repeals ch. 39, p. 69, Acts of 1884, relating to apprentice pilots.

Porto Rico.—Act No. 59. New act. Relates to licensing of pilots. Provides schedule of fees to be charged for pilotage.

Virginia.—Ch. 239. Amends secs. 3613, 3615, 3625, and 3638, Code. Relates to pilots.

EMIGRANT AGENTS

Virginia.—Ch. 45. Consolidates the revenue statutes. For emigrant agents' licenses, see sec. 183.

MECHANICS' LIENS

Louisiana.—Act No. 171. New act. Relates to liens of laborers on oil and gas wells for wages.

Act No. 172. Amends Act No. 134, Acts of 1880. Laborers given first privilege on buildings for labor performed.

Mississippi.—Ch. 136. New act. Provides for the filing of claims by laborers and material men in the office of the chancery clerk.

Ch. 137. Amends ch. 150, Acts of 1926 (sec. 2418, Hemingway's Code). Lien may also be for architectural service rendered, and delivery of material on the job is made first evidence of its use on such job.

New Jersey.—J. R. No. 10. Creates a commission to revise the present mechanics' lien laws.

Ch. 58. Amends ch. 241, Acts of 1927, relating to bonding of lien.

Ch. 67. Amends ch. 250, Acts of 1926, liens on motor vehicles.

Ch. 247, p. 459. Repeals ch. 225, p. 418, Acts of 1891, and ch. 86, p. 138, Acts of 1915.

Ch. 253. New act. Gives a lien to processors of linen, cotton, etc.

New York.—Ch. 13. Amends ch. 38, sec. 44, subd. 3, Acts of 1909 (ch. 33, Con. L.).

Ch. 236. Amends ch. 38, sec. 18, Acts of 1909 (ch. 33, Con. L, amended 1916, ch. 507). Duration of lien.

South Carolina.—No. 600. New act. Gives lien to processors of cotton, wool, silk, etc., for work, labor, and material.

Virginia.—Ch. 253. Amends sec. 6439, Code.

ASSIGNMENT OF WAGES—WAGE BROKERS

Louisiana.—Act No. 92. New act. Small loans act. For sums of \$300 and less.

Act. No. 7 (extra sess.). Small loans act. For sums of \$300 and less.

New Jersey.—Ch. 250. Amends Acts of 1904, p. 218 (Comp. Stat. of 1910, p. 4135), regulating provident loan associations and fixes a limit on loans to \$300.

Ch. 251. Amends ch. 49, Acts of 1914. Limits loans to \$300.

New York.—Ch. 365. Amends ch. 369, sec. 368, Acts of 1914 (ch. 2. Con. L.), as amended by ch. 703, Acts of 1920. Small loans of \$300 and less.

Virginia.—Ch. 152. Amends ch. 300, subsec. 14, Acts of 1922. Small loans less than \$300.

Ch. 448. Amends ch. 74, Acts of 1920. Small loans.

EARNINGS OF MINORS

Kentucky.—Ch. 152. New act. Gives to the father and mother equal rights to the earnings of their minor children and to maintain actions for loss of earnings.

EARNINGS OF MARRIED WOMEN

New Jersey.—Ch. 241. Amends sec. 4 of an act approved March 27, 1874 (Comp. Stat. of 1910, p. 3225). Work performed by a married woman for third persons shall be deemed for her sole and separate account.

LEGAL HOLIDAYS IN THE STATES AND TERRITORIES

Louisiana.—Act No. 49. Lists legal holidays. Mardi Gras is a legal holiday now in the Parishes of St. Bernard, Jefferson, St. Charles, and St. John the Baptist, as well as in Orleans, and Satur-

day a half holiday in cities having a population of 6,000 instead of 10,000.

Massachusetts.—Ch. 235. Amends ch. 4, sec. 7, G. L., to make Armistice Day, November 11, a holiday.

New Jersey.—Ch. 247. Repeals ch. 58, Acts of 1876 (rev. 1877); ch. 260, Acts of 1886; ch. 114, Acts of 1887; ch. 244, Laws of 1907; and ch. 261, Acts of 1909.

BAKERIES AND PREPARATION, DISTRIBUTION, ETC., OF FOOD PRODUCTS

Massachusetts.—Ch. 229. Adds a new section—sec. 305 B—to ch. 94, G. L. (as amended by ch. 50, Acts of 1924) authorizing the commissioner of public health to make examination of persons suspected of contagious disease.

REGULATIONS GOVERNING LAUNDRIES

Rhode Island.—Ch. 1200. New act. Defines “public laundry” and provides for the issuing of permits and the inspection of laundries.

VOCATIONAL REHABILITATION

New Jersey.—Ch. 34. Amends ch. 74, Acts of 1919. Appoints two more members, one of whom shall be a woman, to the State commission for the rehabilitation of physically handicapped persons.

OLD-AGE PENSIONS

Massachusetts.—Ch. 383. Amends ch. 6, sec. 17, and adds sec. 28 A–28 D to ch. 6, G. L. Establishes public bequest commission authorized to receive gifts for a “public bequest fund,” which is to be used in aiding aged men and women.

RETIREMENT OF PUBLIC EMPLOYEES

Massachusetts.—Ch. 248. Amends sec. 2, ch. 32, G. L. (as amended 1921, ch. 439, sec. 1, and ch. 487, secs. 4 and 5 and later amended 1924, ch. 264, and 1925, ch. 12), by striking out par. 8 and substituting a new paragraph; also a new paragraph (11) is added relating to retirement of members of the State retirement association.

Ch. 251. Amends ch. 29, G. L., by adding a new section—sec. 9 A—relative to State retirement fund.

New York.—Ch. 222. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.) art. 4 (as added by ch. 741, Acts of 1920) by inserting a new section—sec. 52–b. Employees transferred to Port of New York Authority shall be considered as being under the retirement system.

Ch. 294. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), sec. 50, subds. 9, 10 (as added by ch. 741, Acts of 1920), by adding to “prior service,” service during the World War of soldiers, sailors, etc., who were residents of the State at the time of their enlistment. “Total service” now includes military service.

Ch. 301. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), sec. 52, subd. 1, par. c (as added by ch. 741, Acts of 1920, and last amended by chs. 440 and 578, Acts of 1927), and par. d (as added by ch. 280, Acts of 1926, and amended by ch. 171, Acts of 1927), and also sec. 53, subd. 5 (as amended by ch. 174, Acts of 1927), by extending from June 30, 1927, to January 1, 1929, period in which certain employees may become members of the retirement system.

Ch. 326. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), sec. 62, subd. 2 (as added by ch. 741, Acts of 1920, and amended by ch. 684, Acts of 1926), by allowing members of the industrial board to continue in the State service beyond retirement age.

Ch. 481. Amends ch. 47, Acts of 1909 (ch. 43, Con. L.), by adding a new section at the end of article 16, to be section 412. Provides for benefits to be paid dependents of prison employees who were not members of the State retirement system.

Ch. 534. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), sec. 61 (as added by ch. 741, Acts of 1920), by adding a new subdivision—subd. 6. Provides for borrowing, by members of the State service who have had at least 3 years' service, from the retirement fund.

Ch. 555. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), sec. 57, subd. 3 (as added by ch. 741, Acts of 1920, and last amended by ch. 440, Acts of 1927), and also sec. 78, art. 5 (as added by ch. 591, Acts of 1922, as amended by ch. 440, Acts of 1927). Sec. 78, art. 5, makes all taxes payable to the "comptroller"; sec. 57, subd. 3, provides that the comptroller shall have a fund in his immediate possession for the payment of pensions.

Ch. 556. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), sec. 52, subd. 1 (as added by ch. 741, Acts of 1920), by adding a new paragraph—par. (e). Provides that members of the State police be covered by the State retirement law.

Ch. 557. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), sec. 52, subd. 1, par. (a) (as added by ch. 741, Acts of 1920, and amended by ch. 618, Acts of 1924), by making several exceptions to the provisions of the law; also, sec. 61, subd. 1 (as added by ch. 741, Acts of 1920), so that a member with less than 3 years' allowable service may elect to withdraw his contributions in lieu of a retirement allowance.

Ch. 571. Amends sec. 174 of the mental hygiene law. Provides that annuity for employers shall become effective within a period of 60 days subsequent to the date of the meeting of the retirement board taking action and shall be payable in monthly, instead of quarterly, installments. See other changes in secs. 171-176.

Ch. 713. Amends ch. 15, Acts of 1909 (ch. 7, Con. L.), by adding a new section—sec. 52-c. Members elected to the Congress of the United States held to be in State service for purposes of the retirement act.

Porto Rico.—Act No. 33. Repeals Act No. 22, Acts of 1923, and also amends act No. 104, secs. 12, 15, 16, and 19, Acts of 1925. Provides that pension board notify attorney general on death of employees; that the pension board invest in bonds of the Insular and Federal Governments; and for the employment of a chief clerk, one clerk, and such other personnel as the board may deem necessary; and provides for disposition of surplus.

COOPERATIVE ASSOCIATIONS

Virginia.—Ch. 166. Amends sec. 3855, Code. Makes several changes in the law.

PREFERENCE FOR LOCAL LABOR AND DOMESTIC MATERIALS ON PUBLIC WORKS

Louisiana.—Act No. 30. New act. All boards, officers, etc., subject to the control of the State shall, in making purchases, give preference to Louisiana products.

Act No. 116. Amends and changes entirely title and Act No. 271, secs. 1, 2, and 3, Acts of 1908, requiring that mechanics employed on public buildings shall be citizens of the State.

Wisconsin.—J. R. No. 7. Relates to discrimination against materials and residents of other States by Minnesota.

INDUSTRIAL POLICE

Louisiana.—Act No. 254. New act. Provides for appointment of railroad policemen; appointed by the governor. (See also Act No. 251.)

ABSENT VOTERS

Virginia.—Ch. 397. Amends secs. 202, 203, 205, and 208, Code, concerning absent voting.

CONVICT LABOR

Louisiana.—Act No. 189. Amends Act No. 203, Acts of 1926. Provides for the creation of prison districts.

Act No. 293. Amends Act No. 95, sec. 24, Acts of 1921 (extra sess.). Provides for the use of convicts on State roads.

Massachusetts.—Ch. 387. Amends ch. 127, G. L., by adding a new section— sec. 48A. Provides for establishment of system of compensation for convicts to be paid from profits from industries.

Mississippi.—Ch. 45. Amends sec. 4020, Hemingway's Code, 1917, sec. 4396, Hemingway's Code, 1927. Concerning the wages of convicts working on public roads.

New York.—Ch. 146. Amends sec. 1828, Penal Law, to conform to the State department's law in relation to prison officer's interest in prison contracts.

Ch. 167. Amends highway law to conform to the State department's law, in relation to the employment of convict labor on roads.

Ch. 805. Amends ch. 25, Acts of 1909, by adding a new article after article 6, to be known as article 6A. Provides for the labeling and marking of convict-made goods. Also provides for due registration of vendors of convict-made goods.

South Carolina.—No. 892. New act. Creates board for the management of the chain gang in Fairfield County.

Virginia.—Ch. 150. Amends sec. 5017, Code. Concerning good conduct of prisoners at work on roads and repeals ch. 301, sec. 6, Acts of 1918.

Ch. 153. Amends ch. 301, sec. 1, Acts of 1918. Drops provision permitting a commutation of prisoner's sentence.

Ch. 154. Repeals sec. 5036 and amends secs. 5019, 5048, and 2091, Code. Authorizes the superintendent of a penitentiary to employ physicians in the several locations where the State convict road force camps are located to attend prisoners needing medical attention.

Ch. 487. Amends sec. 2075, Code, as last amended by ch. 65, Acts of 1926. Provides for physical examinations for prisoners transferred to convict road force.

Ch. 511. New act. Motor-vehicle license plates, road signs, etc., for use of State or to be sold, shall be made by prison labor.

Ch. 525. Amends sec. 2094, Code, as amended by ch. 10, Acts of 1920. Forbids work of females on convict road force.

Ch. 526. Amends sec. 2095, Code. Provides that convict held to labor in the State convict road force for the nonpayment of any fine imposed upon him shall be required to work out the full amount of said fine.

INVESTIGATIVE COMMISSIONS

New Jersey.—J. R. No. 10, p. 804. A commission of nine members to be appointed for the purpose of revising the present mechanics' lien laws. Appropriation of \$500.

PART II.—TEXT AND ABRIDGMENT OF LABOR LAWS

[The text of the laws has been punctuated in accordance with the rules for punctuation laid down by the Government Printing Office for Government publications, and does not follow, in all cases, the official State editions.]

DISTRICT OF COLUMBIA

SEVENTIETH CONGRESS, FIRST SESSION, 1927-28

CHAPTER 908 (45 Stat. 998).—*Employment of children—General provisions*

SECTION 1. *Age limit.*—[No child under 14 years of age may work at any painful occupation. Several exemptions are made for outside of school hours.]

SEC. 2. *Work time.*—[Employment of children under 18 years of age for more than 8 hours per day or 48 hours per week is forbidden. Girls under 18 years of age and boys under 16 years of age are forbidden to work between 7 p. m. and 7 a. m. Boys between 16 and 18 years of age are forbidden to work between 10 p. m. and 6 a. m. Employers must post notices and keep accessible a list of minors under 18 employed, and an accurate time record showing the hours of beginning and ending work each day, and the hours for meals.]

SECS. 3-7. *Prohibited employments.*—[Minors are forbidden to work at any dangerous employment or an employment which is prejudicial to the life, health, safety, or welfare of such minor. Minors under 16 years of age are forbidden to work at the operation of any machinery by power and in the oiling, wiping, or cleaning of same. Minors under 18 years of age are forbidden to operate any elevator; work in any quarry, tunnel, or excavation, or in any tobacco warehouse or cigar factory. Girls under 18 years of age are forbidden to work in any retail cigar or tobacco store, hotel, or apartment house, or as usher, attendant, or ticket seller in any theater, or as a messenger in the distribution or delivery of goods or messages. Males between the ages of 18 and 21 are forbidden to deliver messages between 12 a. m. and 5 a. m. Females between the ages of 18 and 21 are forbidden to deliver messages between the hours of 7 p. m. and 6 a. m. A minor under 16 years of age is forbidden to be employed as an acrobat or a gymnast, etc.]

SECS. 8-10. *Permits.*—[Employer must secure a work or vacation permit for all minors between the ages of 14 and 18. Permits are issued by the director of the department of school attendance and work permits, under the Board of Education of the District of Columbia. Application for permits must be made by the minor, and accompanied by evidence that the employer intends to give employment, evidence of age and school record if minor is under 16, etc.]

SEC. 11. *Evidences of age.*—[A birth certificate, baptismal record, Bible record, or other documentary evidence satisfactory to the officer, a certificate of physical fitness signed by medical inspector of schools.]

SEC. 12. *Vacation permits.*—[Issued by director of the department of school attendance.]

SECS. 13, 14. *Duty of employer.*—[Employer must give notice of employment and termination. An employer must furnish evidence of the minor's age whenever there is a doubt.]

SEC. 15. *Violation.*—[For the first offense a fine of from \$25 to \$100 or imprisonment from 10 to 30 days; for subsequent offense a fine of from \$50 to \$200 or imprisonment from 30 to 90 days, or, in the discretion of the court, by both such fine and imprisonment.]

SEC. 16. *Enforcement.*—[Enforcement by inspectors and agents of the department of school attendance.]

SECS. 17-21. *Street trades, etc.*—[Boys under 12 or girls under 18 forbidden to sell newspapers, etc.; stuffing of newspapers by boys under 16 forbidden; and boys from 16 to 18 may not be employed more than 40 hours in any one

week nor more than one night in any one week. Boys under 16 years of age forbidden to work at any of the street trades between the hours of 7 p. m. and 6 a. m. Boys under the age of 16 must wear badge. Issue of badge is made only after application, and application must contain certain requirements.]

SECS. 22, 23. *Violations by minor, etc. (street trades).*—[For first offense the minor is warned; for subsequent offenses the minor may be committed to the care of the Board of Public Welfare of the District of Columbia. Provision is also made for supervision by a probation officer of the juvenile court. Revocation of badge may be made by an officer. A person offering a minor under 16 an article to be sold in a public place must ascertain if the minor wears his own badge. A punishment is provided for failure to comply.]

SEC. 24. *Loitering.*—[Loitering around newspaper offices, etc., during school hours is forbidden to boys under 16 years of age.]

SEC. 25. *Appointment of officers.*—[Board of Education is authorized.]

SEC. 26. *Jurisdiction.*—[The Juvenile Court of the District of Columbia.]

Approved May 29, 1928.

ILLINOIS

ACTS OF 1928

[The only labor legislation of this State enacted at the first, second, and third special sessions of 1928 is noted in Part I, under the headings: Mothers' pensions, p. 3; Examination, etc., of aviators, p. 85.]

KENTUCKY

ACTS OF 1928

CHAPTER 124.—*Factory, etc., regulations—Exhaust fans*

SECTION 1. *Suction or exhaust systems.*—That all persons, firms, or corporations operating any factory or workshop where emery wheels or emery belts of any description are used, either solid emery, leather, leather covered, felt, canvas, linen, paper, cotton, or wheels or belts rolled or coated with emery or corundum, or any other abrasive material, or cotton wheels used as buffs shall, for the protection of the health of the employees, provide the same with suction or exhaust systems or similar apparatus, which shall be placed over, beside, or under such wheels or belts in such a manner as to protect the person or persons using the same from the particles of dust produced and caused thereby and to carry away the dust arising from or thrown off by such wheels or belts in operation directly to the outside of the building or to some receptacle placed so as to receive and confine such dust: *Provided*, That grinding machines upon which water is used at the point of grinding contact and solid emery wheels that are used occasionally for tool grinding, or emery wheels used only in connection with fitting operations necessitating only momentary contact with wheels, also flexible shaft grinding and swing frame grinding, shall be exempt from the provisions of this act.

SEC. 2. *Installation.*—It shall be the duty of every person, firm, or corporation operating any such factory or workshop to provide or construct such appliances, apparatus, machinery, or other things necessary to carry out the purpose of this act, as set forth in the preceding section, as follows: Each and every such wheel shall be fitted with a sheet or cast-iron hood or hopper of such form and so applied to such wheel or wheels that the dust or refuse therefrom will fall from such wheels or will be thrown into such hood or hopper by centrifugal force and be carried off by the current of air into a suction pipe attached to said hood or hopper.

SEC. 3. *Measurements.*—Each and every such wheel 6 inches or less in diameter shall be provided with a 3-inch suction pipe; wheels 6 to 24 inches in diameter with 4-inch suction pipe; wheels from 24 inches to 36 inches in diameter with 5-inch suction pipe; and all wheels larger in diameter than those stated above shall be provided each with a suction pipe not less than 6 inches in diameter. The suction pipe from each wheel so specified must be full size to the main trunk suction pipe and the main suction pipe to which smaller

pipes are attached shall, in its diameter and capacity, be equal to the combined area of such smaller pipes attached by the same, and the discharge pipe from the exhaust fan, connected with such suction pipe or pipes, shall be as large or larger than the suction pipe.

SEC. 4. *Velocity, etc., of fans.*—It shall be the duty of every person, firm, or corporation operating any such factory or workshop to provide the necessary fans or blowers to be connected with such pipe or pipes, as above set forth, which shall be run at a rate of speed as will produce a velocity of air in such suction or an equivalent suction or pressure of air equal to raising a column of water not less than five inches in a U-shape tube. All branch pipes must enter the main trunk pipe at an angle of 45 degrees or less, the main suction or trunk pipe shall be either upon the floor or beneath the floor on which the machines are placed to which such wheels are attached. All bends, turns, or elbows in such pipes must be made with easy, smooth surfaces having a radius in the throat of not less than two diameters of the pipe on which they are connected.

SEC. 5. *Enforcement.*—It shall be the duty of the department of labor to supervise and enforce the provisions of this act, and to prosecute all violations of the same before any court of competent jurisdiction in this State, and for that purpose said department of labor is empowered to visit and inspect, at all reasonable hours, all places that may come under the provisions of this act. In the enforcement thereof said department of labor shall give proper notice in regard to any violation of this act to any employer of labor violating it, and direct the proper changes to be made to protect the health of the employees therein, and such notice shall be written or printed and shall be signed by the chief officer of the department of labor, and said notice may be served by delivering the same to the person upon whom service is to be had or by leaving at usual place of abode or business an exact copy thereof, or by sending a copy thereof to such person by mail, and upon receipt of such notice calling the attention of the employer to such violation he shall immediately comply with the provisions of this act.

SEC. 6. *Violations.*—Every person, firm, or corporation who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished for the first offense by a fine of not less than \$25 nor more than \$200; and upon conviction of the second or subsequent offense shall be fined not less than \$100 nor more than \$500.

Approved March 20, 1928.

CHAPTER 166.—*Mine regulations—Requirements*

[This act repeals and reenacts sec. 2728, subd. 2, Carroll's Kentucky Statutes, 1922 (being sec. 2, art. 7, ch. 79, Acts of 1914). Permitting as many passengers on mine car as said car will accommodate, allowing each person 3 square feet of floor space.]

Approved March 21, 1928.

Digest, etc.

[The only other legislation is noted in Part I, under the headings: Mothers' pensions, ch. 17; Earnings of minors, ch. 152.]

LOUISIANA

ACTS OF 1928

Act No. 7.—*Retention of wages of employees—Public works*

SECTION 1. *Retention of wages.*—It shall be unlawful for any person, firm, or corporation to retain more than 10 per cent of any and all moneys collected from the employees as physician's fees as a remuneration for their services or otherwise, or to pay to the physician employed less than 90 per cent of the amount actually collected from said employees for said purpose. The provisions of this act, however, are not intended to apply and shall not apply to any person, firm, or corporation who contribute toward the maintenance of a conveniently located hospital or whose employees are cared for in such hospitals and are given free service therein.

SEC. 2. *Election of physician.*—The physician employed to do the practice for the employees on public works shall be elected or appointed by the employees themselves, at elections to be held once each year, or whenever a vacancy may occur, and any persons employed on said public works for a period of two weeks prior to the election and who shall have paid fees for said physician shall be qualified to vote.

SEC. 3. *Definition.*—A public work is hereby defined to be any work, public or private, where more than 10 persons are employed.

SEC. 4. *Violation.*—Any person, firm, or corporation violating any provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction thereof be fined not less than \$100 nor more than \$200.

Approved July 7, 1928.

ACT No. 47.—*Assignment of wages*

SECTION 1. *Assignment of claims.*—When several parties have claims against a common defendant, or defendants, arising out of a common transaction, such as claims of laborers for their wages, said claimants, or any of them, may transfer and assign their claims to any person or persons for the purpose of collection by suit or otherwise, and in such case it shall not be necessary that such transfer or assignment be supported by a valuable consideration but it shall be sufficient that said transfer or assignment be in writing, and said assignee shall thereupon be authorized to collect said claims and to prosecute same to judgment should it be necessary.

Approved July 7, 1928.

ACT No. 115.—*Exemption of wages from garnishment*

[This act provides that one-half of the wages of certain employees receiving \$250 or less per month shall be exempt from garnishment. The other half is not exempt but subject to seizure, and in every case not less than \$75 per month shall be entirely exempt from seizure. The balance of the act relates to procedure.]

Approved July 12, 1928.

ACT No. 135.—*Private employment offices*

SECTION 1. *Definitions.*—Any person, firm, company, corporation, or association, or his or its agent, who shall solicit, hire, employ, or who contracts with laborers of any kind, whether domestic help, common, semiskilled, or skilled workmen, or who contracts for the employment or placement of salesmen, clerks, or other kind of clerical workers or help, shall be deemed a labor agent or employment bureau, except as hereinafter provided.

SEC. 2. *Same.*—Any person, firm, company, corporation, or association, or his or its agent, who charges a fee to register applicants seeking employment of any kind or who directly or indirectly charges, solicits, collects, or accepts, if tendered, by either the applicant seeking employment or from the employer giving employment, any sum, fee, or percentage of wages earned or to be earned, as a remuneration for placement or assignment of the worker, is hereby deemed a labor agent or employment bureau, except as hereinafter provided.

SEC. 3. *Exemptions.*—The provisions of this act shall not apply to any person, firm, company, corporation, or association, or his or its agent, who may operate a labor bureau or employment office in conjunction with his or its own business and for the sole and exclusive purpose of employing help for his or its own use: *Provided*, That no fee or other charge or deduction is exacted from the wages of the worker for employment given. If a fee or charge of any kind is exacted of the worker, then said employer is deemed a labor agent or employment bureau and is subject to the provisions of this act.

SEC. 4. *Same.*—The provisions of this act shall not apply to men or women who may be engaged by any employer as a labor hustler, agent, or recruiter: *Provided*, Such hustler, agent, or recruiter furnishes help only to his respective employer and is solely compensated by his employer and does not directly or indirectly charge, collect, or accept any fee or other remuneration from help secured or placed.

SEC. 5. *License fee.*—Every person, firm, company, corporation, or association, or his or its agent, who engages in the business of a labor agent or employment bureau, except as herein provided, shall pay unto the State of Louisiana an annual license tax of \$500: *Provided*, That labor agents or employment bureaus in cities and towns of this State who have and keep a regular office in such city or town and who transact all of their business in such office, and who do not in person or by agent solicit, or hire, or attempt to do so, except by written, telegraphic, or telephonic communication, shall be required to pay annually the sum of \$25 license tax unto the State of Louisiana for such privileges, and the license so paid for and obtained shall permit all of the employees of such labor agents or employment bureaus who assist in the prosecution of such work in such office only, as aforesaid, to aid therein.

SEC. 6. *Bond.*—In addition to paying the license tax provided for in this act, every person, firm, company, corporation, or association who may engage in the business of a labor agent or employment bureau shall furnish to the commissioner of labor and industrial statistics a bond with good and solvent security in the sum of \$5,000, conditioned that such person shall pay all such damages which may result from his action as such labor agent or employment bureau; and that anyone who may have been injured or damaged by said labor agent, by fraud or misrepresentation of said agent, shall have a right to sue on said bond to recover such damages before any court of competent jurisdiction. The bond furnished to said commissioner of labor and industrial statistics shall be filed in his office and become a part of departmental records.

SEC. 7. *Supervision by commissioner of labor.*—The operation of the business of labor agents or employment bureaus, shall be under the supervision of the Commissioner of Labor and Industrial Statistics of the State of Louisiana.

SEC. 8. *Penalty.*—Any person, firm, company, corporation, or association, who shall violate the provisions of the act shall be guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than \$100, nor more than \$500, or imprisoned in the parish jail for a period of not less than 10 nor more than 90 days, or both fined and imprisoned at the discretion of the court.

SEC. 9. *Repeal.*—This act shall not interfere with or repeal Act No. 54, 1906, or acts amendatory thereof.

SEC. 10. *Constitutionality.*—If for any reason any section or part of this act shall be held to be unconstitutional or invalid, then that part so held shall not invalidate any other part of this act, but the same shall be enforced without reference to the parts held to be invalid.

SEC. 11. [All laws or parts of laws in conflict herewith are repealed.]

Approved July 12, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Mothers' pensions, Act No. 228; Examination, etc., of barbers, Act No. 247; Examination, etc., of beauty parlors, Act No. 245; Examination, etc., of chauffeurs, Act No. 296; Examination, etc., of employees on vessels, Act No. 198; Mechanics' liens, Acts Nos. 171, 172; Assignment of wages—Wage brokers, Act No. 92, Act No. 7 (Extra Sess.); Legal holidays in the States and Territories, Act No. 49; Preference for local labor and domestic materials on public works, Acts Nos. 30, 116; Industrial police, Act No. 254; Convict labor, Acts Nos. 189, 293.]

MASSACHUSETTS

ACTS OF 1928

CHAPTER 244.—*Insurance of employees—Group insurance*

[This act amends sec. 133, ch. 175, G. L. (amended by sec. 133, ch. 141, Acts of 1921), so as to read as follows:]

SECTION 133. *Definition.*—Group life insurance is hereby defined to be that form of life insurance covering (a) not less than 50 employees, with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer or by the employer and employees jointly, and insuring only all of his employees, or all of any class or classes thereof determined by conditions pertaining to the employment, or by duration of service in which case no employee shall be excluded if he has been for

one year or more in the employ of the person taking out the policy, for amounts of insurance based upon some plan precluding individual selection, and for the benefit of persons other than the employer: *Provided*, That when the premium is to be paid by the employer and employee jointly and the benefits of the policy are offered to all eligible employees, not less than 75 per cent of such employees may be so insured, or not less than 40 per cent if each employee belonging to the insured group has been medically examined and found acceptable for ordinary insurance by an individual policy; or (b) the members of any trade-union or other association of wage workers described in section 29, with or without medical examination, written under a policy issued to such union or association, the premium on which is to be paid by the union or association or by the union or association and the members thereof jointly, and insuring only all of the members thereof who are actively engaged in the same occupation, for amounts of insurance based upon some plan which will preclude individual selection, and for the benefit of persons other than the union or association or any officers thereof: *Provided*, That when the premium is to be paid by the union or association and its members jointly and the benefits of the policy are offered to all eligible members, not less than 75 per cent of such members may be so insured: *And provided further*, That any member or members insured under the policy may apply for amounts of insurance additional to those granted by said policy, in which case any percentage of the members may be insured for additional amounts if they pass satisfactory medical examinations.

2. [Section 134 of ch. 175, G. L., is amended so as to read as follows:]

The word "employer," as used in this section and in section 137, shall include a trade-union or association of wage workers described in section 29, and the word "employee," as used in this section and in section 135, shall include a member of such a union or association.

Approved April 17, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Examination, etc., of aviators, ch. 388; Examination, etc., of plumbers, ch. 76; Legal holidays in the States and Territories, ch. 235; Old-age pensions, ch. 383; Retirement of public employees, chs. 248, 251; Convict labor, ch. 387; Bakeries and preparation, distribution, etc., of food products, ch. 229.]

MISSISSIPPI

LAWS OF 1928

CHAPTER 292.—*Interference with employment, intimidation, etc.*

[This act amends ch. 160, Acts of 1924, amendatory of sec. 1146, Code of 1906, and sec. 874, Hemingway's Code, so as to read as follows:]

SECTION 1. *Enticing laborers under contract.*—If any person who knows or has such information as would make a reasonable person believe that a laborer or renter has contracted with another person for a specified time, and where such laborer has actually made such contract, shall interfere with, entice away, or employ before a breach of his contract such laborer or renter, or persuade such laborer or renter to breach his contract, or leave his employer or leased premises without the consent of the employer or landlord under or with whom said laborer had first contracted, he shall upon conviction be fined not less than \$25 nor more than \$100, and in addition shall be liable to the employer or landlord for all advances made by him to said renter or laborer by virtue of his contract with said renter or laborer and all damages which he may have sustained by reason thereof. The provisions of this section shall apply to minors under contract made by a parent or guardian.

Approved April 26, 1928.

ACTS OF 1928 (Extraordinary Session)

CHAPTER 52.—*Removing property of laborer or tenant at night*

SECTION 1. *Removal unlawful.*—It shall be unlawful for any person, or persons, firm, or corporation to go or send to or upon the premises or plantation of any person, firm, or corporation, in this State in the night time or between

sunset and sunrise and move, or in any way assist in moving any laborer, tenant, or other employee, or any of the effects or property of any such laborer, tenant, or employee therefrom without the written consent of the owner, manager, or proprietor of said premises or plantation.

Sec. 2. Exception.—Provided that the provisions of this act shall not be construed to apply to the discharge of a civil or military order by any duly authorized officer of the law.

Sec. 3. Penalty.—That any person found guilty of the violation of this act shall be, upon conviction, punished by fine of not less than \$50 nor more than \$1,000 or imprisoned in the county jail for a term of not less than 10 days nor more than six months, or both, in the discretion of the court.

Approved October 2, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Examination, etc., of aviators, ch. 208; Mechanics' liens, chs. 136, 137; Convict labor, ch. 45.]

NEW JERSEY

ACTS OF 1928

CHAPTER 108.—*Factory, etc., regulations—Registration*

[This act amends the title of an act approved March 24, 1904 (Comp. Stat. of 1910, p. 3029, sec. 44). See Acts of 1925, ch. 117.]

Approved March 27, 1928.

CHAPTER 150.—*Payment of wages, modes and times of*

[This act amends sec. 1 of an act approved March 16, 1899 (Comp. Stat. of 1910, p. 3050), so as to read as follows:]

SECTION 1. Biweekly pay day.—Every person, firm, association, or partnership doing business in this State, and every corporation organized under or acting by virtue of or governed by the provisions of an act entitled "An act concerning corporations" (revision of 1896), in this State, shall pay at least every two weeks, in lawful money of the United States, to each and every employee engaged in his, their, or its business, or to the duly authorized representative of such employee, the full amount of wages earned and unpaid in lawful money to such employee, up to within 12 days of such payment: *Provided, however,* That if at any time of payment any employee shall be absent from his or her regular place of labor and shall not receive his or her wages through a duly authorized representative, he or she shall be entitled to said payment at any time thereafter upon demand; any employer or employers as aforesaid who shall violate any of the provisions of this section, shall, for the first offense, be liable to a penalty of \$50, and for the second and each subsequent offense, to a penalty of \$100, to be recovered by and in the name of the department of labor of this State.

Every district court, justice of the peace, and police magistrate is hereby empowered, upon filing of a complaint in writing by any person alleging that a violation of this act has occurred, which complaint may be made upon information and belief, to issue process at the suit of the Department of Labor of New Jersey as plaintiff; such process shall be either in the nature of a summons or warrant, which warrant may issue without any order of the court first being obtained against the person or persons so charged, which process, when in the nature of a warrant, shall be returnable forthwith, and when in the nature of a summons shall be returnable in not less than 5 nor more than 15 entire days; such process shall state what provision of the law is alleged to have been violated by the defendant or defendants, and on the return of such process or at any time to which the trial shall be adjourned, the said court shall proceed in a summary manner, without a jury, to hear testimony and to determine and give judgment in the manner without the filing of any pleadings for the plaintiff for the recovery of such penalty with costs, or for the defendant, and the said court shall, if judgment be rendered for the plaintiff, cause any such defendant, who may refuse or neglect to forthwith pay the amount of the judgment rendered against him and all the costs and charges incident thereto, to be committed to the county jail for any period not exceeding 100 days, that the officers

to serve and execute all process under this act shall be the officers authorized to serve and execute process in said court; that said district court, justice of the peace, or police magistrate shall have power to adjourn the hearing or trial in any case from time to time, but in such case, except in cases in which the first process was a summons, it shall be the duty of the judge of the district court, justice of the peace, or police magistrate, to detain the defendant in safe custody, unless he shall enter into bond to the said department of labor, with at least one sufficient surety in double the amount of the penalty claimed, conditioned for his appearance on the day to which the hearing shall be adjourned, and thence from day to day until the case is disposed of, and then to abide by the judgment of the said court, and such bond, if forfeited, may be prosecuted by the said board.

[The subsequent paragraphs contain the form of conviction and commitment; penalties for violations; the signing of process by the clerk of the district courts; corrections in form made by the court; exemption of employees engaged in agricultural work; enforcement of act by the department of labor; and exemption of companies having a certain paid-up cash capital.]

Approved April 3, 1928.

CHAPTER 222.—*Insurance of employees—Group insurance*

[This act supplements an act approved April 3, 1902 (Comp. Stat. of 1910. p. 2836), by adding the following:]

SECTION 1. *Group insurance.*—Any insurance company authorized to make insurance against bodily injury or death by accident and upon the health of persons in this State may make such insurance on the group plan at special rates for groups covering not less than 25 employees, written under a policy issued to the employer, the premium for which is to be paid by the employer, by the employees, or by the employees and employer jointly, such insurance to cover all of his employees or all of any class or classes thereof, determined by conditions pertaining to the employment, for amounts of insurance based on some plan which will preclude individual selection, for the benefit of persons other than the employer: *Provided, however,* That when the premium is to be paid by the employer and employees jointly or by the employees and the benefits are offered to eligible employees, not less than 75 per centum of such employees may be so insured. For the purposes of this act the members of any labor union, or of any association formed for some lawful purpose other than procuring insurance under this act, who are actively engaged in the same occupation shall be considered employees of such union or association.

Approved April 3, 1928.

CHAPTER 247.—*Employment offices, private*

(Page 451)

[This act merely repeals ch. 42, Acts of 1911, relating to the regulation of employment agencies.]

Approved April 3, 1928.

CHAPTER 247.—*Children, employment of—General provisions*

(Pages 456-457)

[This act merely repeals law on p. 321, Laws of 1851 (Rev. 1877, p. 485); ch. 30, p. 63, Acts of 1852 (Rev. 1877, p. 485); ch. 189, p. 306, Acts of 1876 (Rev. 1877, p. 485); ch. 108, p. 157, Acts of 1889; and ch. 66, p. 102, Acts of 1903, relating to hours of labor and prevention of employment of minors in factories.]

Approved April 3, 1928.

CHAPTER 247.—*Women, employment of—General provisions*

(Page 457)

[This act repeals ch. 159, p. 227, Acts of 1882, relating to the preservation of health of female employees.]

Approved April 3, 1928.

CHAPTER 276.—*Employment of children—General provisions*

[This act amends sec. 8, ch. 223, Acts of 1914. Completion of six yearly grades is now necessary in order to receive age and school certificate, instead of five as heretofore.]

Approved April 3, 1928.

CHAPTER 283.—*Employment offices, private*

[This act amends ch. 227, Acts of 1918, under the headings, as follows:]

SECTION 1. *Definitions*.—[Definition of "privileges" now provides that the furnishing of food, supplies, tools, etc., to laborers, if performed or paid for within the State in connection with the promise or offer to provide help or employment regardless of where such offer is made or where such help is obtained shall be considered proof of violation of the act.]

SEC. 3. *License—Penalty*.—[The penalty now includes imprisonment of not more than one year, at the discretion of the court.]

SEC. 5. *Fees*.—[Schedule of fees must be posted in a conspicuous manner in the office of the agency.]¹

SEC. 8. *Acts forbidden—Penalty*.—[The penalty now includes imprisonment for not more than one year, at the discretion of the court.]

SEC. 10. *Enforcement*.—[The commissioner of labor shall cause bimonthly visits to be made by inspectors designated by him. The commissioner of labor may also withhold licenses if the needs of employers and employees in a municipality appear to the commissioner of labor to be served adequately by the public free agencies or licensed private employment agencies.]

SEC. 11. *Procedure*.—[Specifies the procedure and forms of conviction and commitment.]

Approved July 14, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Examination, etc., of aviators, ch. 63; Examination, etc., of employees on vessels, ch. 247; Mechanics' liens, chs. 58, 67, 247, 253, J. R. 10; Assignment of wages—wage brokers, chs. 250, 251; Earnings of married women, ch. 241; Legal holidays in the States and Territories, ch. 247; Vocational rehabilitation—State and Federal, cooperation, ch. 34; Investigative commissions, J. R. No. 10.]

NEW YORK

ACTS OF 1928

CHAPTER 145.—*Industrial commission—Labor law*

[This act amends sec. 1275, Penal Law, so as to read as follows:]

SECTION 1275. *Violations*.—Any person who violates or does not comply with any provision of the labor law, any provision of the industrial code, any rule, regulation, or lawful order of the department of labor, industrial commissioner, or industrial board, and any person who knowingly makes a false statement in or in relation to any application made for an employment certificate as to any matter required by the labor law to appear in any affidavit, record, transcript, or certificate therein provided for, is guilty of a misdemeanor and upon conviction shall be punished, except as in this chapter otherwise provided, for a first offense by a fine of not less than \$20 nor more than \$50; for a second offense by a fine of not less than \$50 nor more than \$250, or by imprisonment for not more than 30 days or by both such fine and imprisonment; for a third offense by a fine of not less than \$250, or by imprisonment for not more than 60 days, or by both such fine and imprisonment.

Approved February 25, 1928.

¹ The requirement that the commissioner of labor approve schedules of fees has been dropped. See the decision holding such requirement unconstitutional. *Ribnik v. McBride*, 48 Sup. Ct. 545, May 28, 1928.

CHAPTER 567.—*Hours of labor—Women*

[This act amends sec. 181, ch. 50, Acts of 1921 (ch. 31, Con. L.) as amended by ch. 453, Acts of 1927, by exempting duly licensed pharmacists from the operation of the act.]

Approved March 24, 1928.

CHAPTER 646.—*Employment of children—School attendance*

[This act amends several sections of the compulsory education law, art. 23, ch. 21, Acts of 1909, as later amended, is hereby further amended by repealing secs. 620 to 638 and substituting the following sections—620 to 643 inclusive:]

SECS. 620, 621. *Instruction required; definition.*—[Provides a place of instruction; quality and language of instruction; course of study; defines employed minor; full-time day instruction required for each minor from 7 to 14 years of age, and each minor from 14 to 16 years of age who is not employed; in each city the board of education is empowered to require minors from 16 to 17 years of age who are not employed to attend full-time day instruction.]

SECS. 622-626. *Attendance.*—[Provides for minors on part-time instruction and evening instruction; proper mental and physical condition required; amount and character thereof; keeping of the records.]

SEC. 627. *Definition, duties.*—[Provides for the duties of persons in parental relation; of minors from 16 to 21 years of age; of other persons; birth certificate; duties of poor law officials.]

SEC. 628. *Delinquents.*—[Authorizes the establishment of special day schools and parental schools, and the commitment to private institutions of delinquents; parole and suspension of delinquents.]

SEC. 629. *Unlawful employment.*—[A minor under 14 years of age; or a minor from 14 to 17 years who does not present either an employment certificate or a vacation work permit. Section is not applicable to employment of minors from 12 to 16 years of age in farm service or other outdoor work for their parents; an employment certificate shall not be required for a minor 16 years of age and over engaged in farm work.]

SEC. 630. *Duties of employers.*—[Duties of employers outlined.]

SEC. 631. *Certificates.*—[General regulations relative to employment certificates, vacation work permits, street trades badges.]

SECS. 632-636. *Procedure, etc.*—[Relates generally to the procedure of issuing school records; pledge of employment shall be signed by the prospective employer; evidence of age, including physical fitness and ability to read and write English with comprehension.]

SECS. 637-639. *Issuance and reissuance of permits.*—[Regulations relative to the issuance of vacation work and street trades permit; and also as to the reissuance and revocation of the same.]

SECS. 640-643. *Appointments, powers, penalties.*—[Includes provisions regulating attendance officers, jurisdiction of the courts, enforcement and penalties for violations of the school law.]

Approved March 27, 1928.

CHAPTER 697.—*Employment of children—Dangerous occupations*

[This act amends subd. 5, sec. 485, penal law (as amended 1916, ch. 278), by providing that applicant must apply in writing to the Society for the Prevention of Cruelty to Children for consent to engage in certain occupations. Said society may request a hearing within 48 hours.]

Approved March 27, 1928.

CHAPTER 725.—*Employment of children—General provisions*

[This act amends the labor law, secs. 130, 131, 142, 144, and 145, ch. 50, Acts of 1921 (ch. 31, Con. L.), (as amended by ch. 386, Acts of 1921) and adds two new sections—secs. 132 and 133.]

SECTION 130. *Age limit for children.*—[A new paragraph 2 is added providing that "No child under 14 years of age shall be employed in connection with or for any trade, business, or occupation carried on for pecuniary gain."]

SEC. 131. *Certificates.*—1. No child between 14 and 17 years of age except as provided in subdivision 2 of this section shall be employed in or in connection

with or for any factory, establishment, [or] trade, business, or occupation specified in section 130, unless either an employment certificate or a vacation work permit issued in accordance with the provisions of the education law is kept on file in the office of the employer at the child's place of employment, authorizing the employer named therein to employ said child. But no child for whom a vacation work permit has been issued shall be employed in or in connection with a factory or during such hours as school is in session. The employment of a child for whom a vacation work permit has been issued shall be unlawful after the opening of school in September following the date of its issuance until a new vacation work permit shall have been issued for him.

2. When attendance upon instruction is not required by the education law the provisions of this section and of section 130 shall not apply to the employment of children between 12 and 16 years of age in work for their parents, guardians, or custodians either at farm service or at other outdoor work not connected with or for any trade, business, or occupation specified in section 130 or to children under 16 years of age employed or engaged in occupations regulated by section 485 of the penal law and not prohibited thereby.

3. An employment certificate shall not be required for a child 16 years of age and over engaged in work on a farm.

SEC. 132. *Duties of employers.*—The employer of any child required to have an employment certificate or vacation work permit:

1. Shall before employment begins file in his office at the place of the child's employment such certificate or permit, so that it may be readily accessible to any person authorized by law to examine such document.

2. Shall require the child presenting such certificate or permit to again sign his name on such document in space to be provided for such signature.

3. Shall upon the commencement of the child's employment mail at once to the certifying officer notice of such employment and upon the termination of the child's employment shall mail at once to said officer the employment certificate or vacation work permit, together with the child's physical examination record.

4. Shall discontinue the services of a child required by the education law to attend upon part-time day instruction, upon receipt of written notice from the school authorities of the failure of such child to attend as thus required.

5. May require from a child claiming to be over 17 years of age and who does not present an employment certificate or vacation work permit duly issued for him, a certificate of age issued by an employment certifying officer. Such a certificate of age or an employment certificate or vacation work permit previously issued for such child and on file in the place of his employment shall be conclusive evidence that the child has reached the age certified to therein.

SEC. 133. *Employment of children 16 to 17 years of age under physical disability.*—No employer shall employ a child whose employment certificate states that the occupation in which the child may engage is limited because of his physical disability, for more than six months from the date of the issuance of said employment certificate, nor in any other occupation than that to which the employment of the child is limited by the terms of the employment certificate.

SEC. 142. *Duty of commissioner.*—[This section is amended so as to direct the commissioner to transmit to the district superintendent of schools the names of children under 17 years of age found illegally employed.]

SEC. 144. *Children apparently under 17 years of age.*—[Proof of age may be demanded in case any employed child is apparently under 17.]

SEC. 145. *Physical examinations.*—[A medical inspector may require any child between 14 and 17 years of age to have a physical examination if he believes such child is physically unfit. If found unfit, the employment certificate must be taken from the office of the employer and returned to the superintendent of schools, who will recommend its cancellation.]

Approved March 28, 1928.

CHAPTER 726.—*Inspection and regulation of factories*

[This act amends secs. 263, 264, 265, 270 of ch. 50, Acts of 1921 (ch. 31, Con. L.), subjecting certain enumerated fireproofing factory partition and wall material to the approval of the department of labor, adding cinder or

concrete block or tile to the enumerated list of material, and giving detailed requirements as to construction.]

Approved March 28, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Examination, etc., of chauffeurs, ch. 867; Mechanics' liens, chs. 13, 236; Assignment of wages—wage brokers, ch. 365; Retirement of public employees, chs. 222, 294, 301, 326, 481, 534, 555, 556, 557, 571, and 713; Convict labor, chs. 146, 167, 805.]

PORTO RICO

ACTS OF 1928

Act No. 16.—*Factory, etc., regulations—First-aid provisions*

[This act amends secs. 1 and 3, act No. 41, Acts of 1917, so as to read as follows:]

SECTION 1. *Scope of law.*—That every owner of a sugar factory, dock, factory, workshop, electric or hydraulic plant, or building where power-driven machinery is used, boxing stadium, or race track, whether inside or outside of the urban zone, whose employees exceed 50 in number, is hereby obliged to provide a dispensary sufficiently stocked with medicines and an emergency room for cases of accident.

SEC. 3. *Physician.*—It shall be the duty of every owner of a sugar factory, dock, factory, workshop, boxing stadium, electric or hydraulic plant where power-driven machinery is used, or race track, whether inside or outside of the urban zone, whose employees exceed 50 in number, to contract for the services of a physician and a minor surgeon (*practicante*) or nurse, duly authorized, for such accidents as may occur: *Provided*, That said minor surgeon (*practicante*) or nurse shall be at the factory, workshop, dock, etc., during work hours.

Approved April 19, 1928.

Act No. 53.—*Attachment of wages of public employees*

[Section 84, p. 400, of this act, establishing a system of local self-government for its municipalities, provided that no part of the salary of any municipal officer or employee shall be subject to attachment.]

Approved April 28, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Examination, etc., of chauffeurs, act No. 66; Examination, etc., of employees on vessels, act No. 59; Retirement of public employees, act No. 33.]

RHODE ISLAND

ACTS OF 1928

CHAPTER 1159.—*Commissioner of labor*

[This act amends sec. 5, ch. 87, G. L. (as amended by ch. 626, Acts of 1925), by advancing the salary of the deputy commissioner from \$2,800 per annum to \$3,000 per annum.]

Approved April 7, 1928.

CHAPTER 1197.—*Inspection of steam boilers*

[This act amends secs. 1, 2, 8, and 12, ch. 94, G. L.]

SECTION 1. *Definitions.*—[Inspector and deputy inspector of boilers to be appointed by the governor; "authorized inspector" means a boiler inspector employed by an insurance company to whom a permit is issued under the provisions of this chapter.]

SEC. 2. Inspector.—[Inspector may issue a permit to act as an "authorized inspector" to inspect steam boilers in the State. Such authorized inspector must pass a written examination or be licensed.]

SEC. 8. Fees.—[Fee for inspections are as follows: \$5 for each boiler of three horsepower and over; \$2.50 for each boiler of less than three horsepower, inspected. No fee shall be paid by the State, fire district, city, or town. When authorized inspector inspects boilers, if the boiler is in a safe condition, the owner shall pay him \$1 for such inspection. Authorized inspector shall issue certificate authorizing the operation of such boiler and prescribing limit of pressure at which such boiler may be used. An "authorized inspector" after an inspection of a boiler must make a report to the inspector.]

SEC. 12. Exceptions.—[Provides for cases in which boilers are insured and inspected by insurance companies.]

Approved April 25, 1928.

CHAPTER 1222.—*Employment of children*

[This act amends sec. 1, clause 1, ch. 85, G. L. (as amended by ch. 482, Acts of 1923, and by ch. 812, Acts of 1926), by forbidding the employment of children under 16 between the hours of 7 o'clock in the afternoon, instead of 8 p. m. as heretofore, and 6 o'clock in the forenoon of the following day in certain employments.]

Approved April 27, 1928.

CHAPTER 1223.—*Employment of children in street trades*

[This act amends sec. 1, ch. 143, G. L., by forbidding boys under the age of 12 and girls under the age of 16 from selling papers, etc., or acting as scavengers or bootblacks in any city of over 40,000 inhabitants.]

Approved April 27, 1928.

CHAPTER 1231.—*Employment of women and children—Hours of labor*

[This act amends ch. 85, G. L., and repeals secs. 22-25, ch. 91, G. L., by adding the following sections:]

SECTION 35. Hours per week and day.—No child under 16 years of age shall be employed or permitted or suffered to work in any factory, manufacturing, mechanical, business, or mercantile establishment within this State more than 48 hours in any one week, and in no case shall the hours of labor exceed 9 hours in any period of 24 consecutive hours.

No woman shall be employed or permitted or suffered to work in any factory, manufacturing, mechanical, business, or mercantile establishment within this State more than 54 hours in any one week, and in no case shall the hours of labor exceed 10 hours in any period of 24 consecutive hours. Every employer shall post in one or more places in his establishment where it may be easily seen and read by all women and children employed by him, a printed or typewritten notice stating the number of hours' work required of such persons on each day of the week, and the hours of commencing and stopping work and the employment of any such person for a longer time in a period of 24 consecutive hours than so stated, shall be deemed a violation of this section: *Provided*, That the provisions of this section shall not be construed to enlarge or impair any restriction placed upon the employment of any child by the provisions of chapter 76 of the General Laws.

Sec. 36. Violation.—Every person who willfully employs or has in his employ or under his charge any person in violation of the provisions of the section 35 of this chapter and every parent or guardian who permits any child to be so employed shall be fined not exceeding \$20 for each offense. The age and employment certificates required by section 1 of this chapter shall be prima facie evidence of the age of a child upon the trial of any person other than the parent or guardian for the violation of said section 35.

Sec. 37. Ten hours a day's labor.—Except as otherwise provided by law, labor performed in any manufacturing establishment, and all mechanical labor, during the period of 10 hours in any one day, shall be considered a legal day's work, unless otherwise agreed by the parties to the contract for the same.

Sec. 38. Notice of discharge.—Every person who requires from any person in his employ, under penalty of a forfeiture of a part of the wages earned by him,

a notice of intention to leave such employ, shall be liable to the payment of a like forfeiture if he discharges without similar notice such person in his employ, except for incapacity or misconduct, unless in case of a general or partial suspension of labor in his business.

Approved April 28, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Examination, etc., of beauty parlors, ch. 1211; Regulations governing laundries, ch. 1200.]

SOUTH CAROLINA

ACTS OF 1928

[The only labor legislation of the State enacted at the 1928 session is noted in Part I, under the headings: Mechanics' liens, No. 600; Convict labor, No. 892.]

VIRGINIA

ACTS OF 1928

CHAPTER 19.—*Bureau of Labor*

[This act amends sec. 1798, Code of 1919, by changing the term of office of the commissioner of labor from two to four years.]

Approved February 18, 1928.

CHAPTER 81.—*Exemption of wages from garnishment*

[This act amends and reenacts sec. 6555, Code of 1919, so as to read as follows:]

SECTION 6555. *Wage exemptions*.—In addition to the estate, not exceeding in value \$2,000, and the other property which every householder or head of a family residing in this Commonwealth shall be entitled to hold exempt, as provided in the preceding sections of this chapter, wages owing or to be owing to a laboring man, who is a householder or head of a family, to the extent of \$50 per month shall also be exempt from distress, levy, garnishment, or other process; and any assignment, sale, transfer, pledge, or mortgage thereof shall be void and unenforceable by any process of law.

Approved March 2, 1928.

CHAPTER 91.—*Breach of contract*

[This act amends Code by adding thereto a new section numbered 4454-a and repeals ch. 408, Acts of Assembly, 1924. Sec. 4454-a is as follows:]

SECTION 4454-a. *Fraudulent contract*.—If any person enters into a contract of employment, oral or written, for the performance of personal service to be rendered within one year, in and about the cultivation of the soil, and, at any time during the pendency of such contract, thereby obtains from the land owner, or the person so engaged in the cultivation of the soil, advances of money or other thing of value under such contract, with intent to injure or defraud his employer, and fraudulently refuses or fails to perform such service or to refund the said money or other thing of value so obtained, he shall be guilty of a misdemeanor: *Provided, however*, That prosecutions hereunder shall be commenced within 60 days after the breach of such contract.

Approved March 5, 1928.

CHAPTER 471.—*Employment of children—School attendance*

SECTION 683. *Requirements*.—[Attendance during school term is required up to the fifteenth birthday unless the child is physically or mentally unfitted for school work; unless the prescribed elementary course has been completed and the child is regularly and lawfully employed, and unless children live more than two miles by the nearest traveled road from a public school unless public

transportation is provided within one mile. However, the local board, under certain conditions, may fix the maximum compulsory school age at 16 years.]

Approved March 26, 1928.

Digests, etc.

[Other legislation is noted in Part I, under the headings: Vocational education, ch. 471; Examination, etc., of aviators, ch. 463; Examination, etc., of chauffeurs, chs. 38, 531; Examination, etc., of employees on vessels, ch. 239; Emigrant agents, ch. 45; Mechanics' liens, ch. 253; Assignment of wages—wage brokers, chs. 152, 448; Cooperative associations, ch. 166; Absent voters, ch. 397; Convict labor, chs. 150, 153, 154, 487, 511, 525, 526.]

WISCONSIN

ACTS OF 1928

[The only labor legislation enacted in the first and second special sessions of 1928 is noted in Part I, under the heading: Preference for local labor and domestic material on public works, J. R. No. 7.]

UNITED STATES

SEVENTIETH CONGRESS, FIRST SESSION, 1927-28

CHAPTER 15 (45 Stat. 54).—*Employers' liability—National parks*

That in the case of the death of any person by the neglect or wrongful act of another within a national park or other place subject to the exclusive jurisdiction of the United States, within the exterior boundaries of any State, such right of action shall exist as though the place were under the jurisdiction of the State within whose exterior boundaries such place may be; and in any action brought to recover on account of injuries sustained in any such place the rights of the parties shall be governed by the laws of the State within the exterior boundaries of which it may be.

Approved February 1, 1928.

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¹ Texts mostly abridged; for representative law in full, see Wisconsin.² Texts mostly abridged; for representative law in full, see Delaware and Wisconsin.

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³ Texts mostly abridged; for representative law in full, *see* Illinois.⁴ Texts mostly abridged; for representative law in full, *see* Indiana.

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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, 1912, 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. 468. Trade agreements, 1927.
- No. 481. Joint industrial control in the book and job printing industry. [1928.]

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. 263. Housing by employers in the United States. [1920.]
- No. 295. Building operations in representative cities in 1920.
- No. 469. Building permits in the principal cities of the United States in [1921 to] 1927.

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. Effects 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, 1910-1919.
- No. 306. Occupation 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.
- No. 460. A new test for industrial lead poisoning. [1928.]
- No. 466. Settlement for accidents to American seamen. [1928.]

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.]
- No. 383. Works council movement in Germany. [1925.]

Industrial Relations and Labor Conditions—Continued.

- 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.]
No. 483. Conditions in the shoe industry in Haverhill, Mass., 1928.
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. 444. Decisions of courts and opinions affecting labor, 1926.
No. 467. Minimum-wage legislation in various countries. [1928.]
No. 470. Labor legislation of 1927.

Proceedings of Annual Conventions of the Association of Governmental Labor Officials of the United States and Canada. (Name changed in 1928 to Association of Governmental Officials in Industry 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, Harrisburg, Pa., May 22–26, 1922.
No. 352. Tenth, Richmond, Va., May 1–4, 1923.
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No. 281. Seventh, San Francisco, Calif., September 20–24, 1920.
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