UNITED STATES DEPARTMENT OF LABOR
JAMES J. DAVIS, Secretary
BUREAU OF LABOR STATISTICS
ETHELBERT STEWART, Commissioner

BULLETIN OF THE UNITED STATES BUREAU OF LABOR STATISTICS . . . . . No. 530

MISCELLANEOUS SERIES

ASSOCIATION OF GOVERNMENTAL OFFICIALS IN INDUSTRY OF THE UNITED STATES AND CANADA

SEVENTEENTH ANNUAL CONVENTION LOUISVILLE, KY., MAY 20–23 1930

NOVEMBER, 1930

UNITED STATES
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OFFICERS, 1929–30

President.—Maud Swett, Milwaukee, Wis.
First vice president.—James H. H. Ballantyne, Toronto, Ontario.
Second vice president.—W. A. Rooksbery, Little Rock, Ark.
Third vice president.—E. Leroy Sweetser, Boston, Mass.
Fourth vice president.—Eugene B. Patton, New York, N. Y.
Fifth vice president.—Judge T. E. Whitaker, Atlanta, Ga.
Secretary-treasurer.—Louise E. Schutz, St. Paul, Minn.

CONSTITUTION

Adopted at Chicago, Ill., May 20, 1924; amended August 15, 1925; June 3, 1927; May 24, 1928; May 23, 1930

Article I

Section 1. *Name.*—This organization shall be known as the Association of Governmental Officials in Industry of the United States and Canada.[1]

Article II

Section 1. *Objects.*—To encourage the cooperation of all branches of Federal, State, and Provincial Governments who are charged with the administration of laws and regulations for the protection of women and children, and the safety and welfare of all workers in industry; to maintain and promote the best possible standards of law enforcement and administrative method; to act as a medium for the interchange of information for and by the members of the association in all matters pertaining to the general welfare of men, women, and young workers in industry; to aid in securing the best possible education for minors which will enable them to adequately meet the constantly changing industrial and social changes; to promote the enactment of legislation that conforms to and deals with the ever recurring changes that take place in industry, and in rendering more harmonious relations in industry between employers and employees; to assist in providing greater and better safeguards to life and limb of industrial workers, and to cooperate with other agencies in making the best and safest use of property devoted to industrial purposes; to secure by means of educational methods, a greater degree of interstate and interprovincial uniformity in the enforcement of labor laws and regulations; to assist in the establishment of standards of industrial safety that will give adequate protection to workers; to encourage Federal, State, and Provincial labor departments to cooperate in compiling and disseminating statistics dealing with employment, unemployment, earnings, hours of labor, and other matters of interest to industrial workers and of importance to the welfare of women and children; to collaborate and cooperate with associations of employers and associations of employees in order that all of these matters may be given the most adequate consideration; and to promote national prosperity and international good will by correlating as far as possible the activities of the members of this association.

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;

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[1] Name changed May 24, 1928.

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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.

Sec. 3. *Associate membership.*—Any individual, organization, or corporation interested in and working along the lines of the object of this association may become an associate member of this association by the 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 $300 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.

Sec. 2. The annual fee of associate members shall be $2.

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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 program committee shall consist of the president, the secretary-treasurer, and the head of the department of the State or Province within which the convention is to be held, and they 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.

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DEVELOPMENT OF THE ASSOCIATION OF GOVERNMENTAL OFFICIALS IN INDUSTRY[1]

ASSOCIATION OF CHIEFS AND OFFICIALS OF BUREAUS OF LABOR

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

INTERNATIONAL ASSOCIATION OF FACTORY INSPECTORS

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		
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. Hartsell.
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

No.	Date	Convention held at—	President	Secretary-treasurer
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.

[1] Known as Association of Governmental Labor Officials, 1914–1927.

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ASSOCIATION OF GOVERNMENTAL OFFICIALS IN INDUSTRY[1]

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.
15	May, 1928	New Orleans, La	H. M. Stanley	Do.
16	June, 1929	Toronto, Canada	Andrew F. McBride[2] Maud Swett	Do.
17	May, 1930	Louisville, Ky	Maud Swett	Do.

[1] Known as Association of Governmental Labor Officials, 1914–1927.
[2] Doctor McBride resigned in March, 1929.

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BULLETIN OF THE

U. S. BUREAU OF LABOR STATISTICS

NO. 530 WASHINGTON NOVEMBER, 1930

PROCEEDINGS OF THE SEVENTEENTH ANNUAL CONVENTION OF THE ASSOCIATION OF GOVERNMENTAL OFFICIALS IN INDUSTRY OF THE UNITED STATES AND CANADA, LOUISVILLE, KY., MAY 20-23, 1930

The seventeenth annual convention of the Association of Governmental Officials in Industry of the United States and Canada opened on the evening of Tuesday, May 20, 1930, at the Brown Hotel, with an informal dinner which was given for visiting delegates by the Kentucky Department of Labor. In the absence of Mr. Newton Bright, commissioner of agriculture, labor, and statistics of Kentucky, Mr. Edward F. Seiller, chief labor inspector, Louisville, Ky., presided. Mr. Seiller introduced the mayor of Louisville, who, in closing his address, suggested "that when we begin to consider labor, not as a commodity but as humanity, we shall have made some progress." Miss Maud Swett, president of the association, responded to the address of welcome.

An address on the subject of "Problems of Unemployment" was made by Paul Douglas, acting director of the Swarthmore unemployment study, Swarthmore College, Swarthmore, Pa.

WEDNESDAY, MAY 21—MORNING SESSION

Maud Swett, President Association of Governmental Officials in Industry, Presiding

BUSINESS SESSION

After the roll call of members, by States and Provinces, the president of the association gave an address, and the following committees were appointed:

Officers' reports: Frank J. Plant, Mrs. Daisy Gulick, Joseph Kitchen, James Southall, James Reagin.

Resolutions: Charles R. Blunt, Henry McColl, Ruth Scandrett, Ethelbert Stewart, Agnes Peterson.

Constitution and by-laws: E. Leroy Sweetser, W. A. Rooksbery, T. E. Whitaker, E. F. Seiller.

The secretary-treasurer read numerous letters and telegrams received from the members who could not be present and from governors of various States, and submitted her report, as follows:

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REPORT OF SECRETARY-TREASURER, MAY 30, 1929, TO MAY 30, 1930

BALANCE AND RECEIPTS

Funds on hand May 30, 1929:		
Checking account	$115.41	
Savings account	315.60	
		$431.01
Receipts for fiscal year ending July 1, 1929 (interest and dues):		
1929		
June 6. Iowa	15.00	
21. Kentucky	10.00	
24. Washington	25.00	
July 1. Interest on savings account	3.30	
1. Nova Scotia	10.00	
3. Manitoba	15.00	
6. Colorado	15.00	
8. Alberta	10.00	
13. Delaware	10.00	
Oct. 4. Michigan	15.00	
Receipts for fiscal year ending July 1, 1930 (interest and dues):		
1929		
Sept. 19. Oklahoma	10.00	
Nov. 1. Virginia	15.00	
4. New Hampshire	10.00	
22. Georgia Industrial Commission	10.00	
22. International Labor Office	10.00	
23. Ontario	15.00	
Dec. 4. New York	50.00	
9. New Jersey	25.00	
9. Kansas	15.00	
1930		
Jan. 2. Interest on savings account	.65	
6. Arkansas	10.00	
20. Nova Scotia	10.00	
20. Manitoba	15.00	
20. Kentucky	10.00	
31. Wisconsin	50.00	
31. Canada	25.00	
Feb. 3. Alberta	10.00	
7. Minnesota	25.00	
10. Illinois	15.00	
10. Pennsylvania	50.00	
18. Washington	25.00	
19. Delaware	10.00	
Apr. 3. Interest on savings account	1.21	
25. Massachusetts	50.00	
26. Georgia Industrial Commission	15.00	
		610.16
Total		1,041.17

DISBURSEMENTS

1929	
June 13. Postage, $5; telegram to James Ballantyne, $1.05	6.05
18. Nelson Butcher, official stenographer for Toronto convention	176.50
July 3. Partial payment honorarium, 1928–29, L. E. Schutz ($40 from checking account, $140 from savings)	180.00
8. Telegram to Maud Swett	.42
31. Balance on honorarium, Louise Schutz, 1928–29	120.00
Aug. 19. Postage, registered package, Washington	1.15
Sept. 10. 2,000 letterheads, Chase Printing Co	19.40
Nov. 13. Stamps	2.00
1930	
Jan. 1. 1,000 large envelopes	7.50
2. Expenses of secretary-treasurer, October executive board meeting at Buffalo	99.50

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1930			
Jan. 6.	Stamps	$3.00	
23.	Do	3.00	
19.	Do	3.00	
Apr. 2.	Do	3.00	
16.	Do	5.00	
May 5.	Do	2.00	
			$19.00
9.	Stenographic service, Betty Holstrom		15.00
14.	Stamps		2.00
	Total disbursements		648.52
	Balance on hand, savings account		392.65
	Total		1,041.17

The secretary-treasurer reported that she wrote letters required by resolutions adopted at the Toronto convention, June 4, 1929, to different persons mentioned therein, thanking them for courtesies extended to the delegates, etc.; that she wrote, as required by resolution No. 4, a letter of condolence to the family of Frank Hoffman, of Minnesota, past president of the association.

She also reported that in conformity with resolution No. 5 a committee was appointed by the president, Miss Swett, to urge the various States to adopt the safety codes of the American Standards Association, and so to harmonize said laws and regulations that it will be possible for machine-tool builders to safeguard equipment at its source. The committee that was appointed consisted of Mr. Chas. E. Baldwin, Washington, D. C., chairman; Mr. Murphy, Oklahoma; Mr. Voyta Wrabetz, Wisconsin; Mr. Campbell, Pennsylvania.

In accordance with the report of the committee on officers' report submitted at Toronto letters were sent to the governors of the various States urging them to have representatives from the labor departments at the next meeting of the association. She has carried on a correspondence with labor officials throughout the United States and Canada urging them to attend the convention. Two formal letters of announcement of the approaching convention were mailed out by the secretary-treasurer.

At the suggestion of the secretary-treasurer, letters were sent by Mr. Newton Bright, of the Department of Labor of Kentucky, to governors of States urging attendance at the convention in Louisville. Favorable and appreciative letters in reply were received by Mr. Bright from a number of individuals.

As vacancies have occurred on safety code committees of the American Standards Association, or as new committees were formed upon which it seemed advisable to have representation from the Association of Governmental Officials in Industry, representatives were appointed by the president through correspondence carried on by the secretary-treasurer.

REPORTS ON NEW LABOR LEGISLATION FROM MEMBER STATES AND PROVINCES

Arkansas.

Our legislature meets this coming January. The governor has employed a research bureau in New York City to reorganize our State government. It has been in our State some four months and will file its report in September, and I think from the attitude of those who were there and in discussion with the governor that it is going to be very beneficial to the department of labor.

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I think it is going to place in this department the enforcement of several laws now enforced by other departments of the State.

We have also organized a State safety council, which is doing some very good work at the present time. The governor is in sympathy with all programs and it seems that we are going to be able to do some very good work this coming year.

California.

The following review shows some of the action of the California Legislature during the 1927 and 1929 sessions:

During the forty-seventh session of the legislature (1927) the following amendments to the payment of wages laws were passed:

The labor commissioner was authorized to bring civil suits for the collection of penalties due the State from employers violating the semimonthly pay day act; the legislature also authorized the labor commissioner to accept and receive such penalties from employers without court action.

Wage claimants were given the privilege of levying execution on one-half of the wages of a judgment debtor.

"Theft of labor" was made a felony offense in all cases where the amount involved is over $200.

The law regulating advertisements during strikes was changed to make it mandatory upon employers to indicate strike conditions even if the advertisement is inserted in a paper published in the same locality where the strike exists, provided the paper is circulated outside of that locality. This amendment also makes it obligatory upon advertisers to insert their names in the advertisement. The appearance of the name was made prima facie evidence as to the firm, corporation, or association responsible for the advertisements.

The law regarding misrepresentation of conditions of employment was enlarged to include cases of misrepresentation of the existence of work, or of the length of time the work would last. The amendment to this law changed the criminal penalty provision in order to make the law more readily enforceable.

The law relating to cash bonds was strengthened by the requirement that unless the employee is intrusted with money or property of an equivalent value, or is advanced goods or merchandise on a current open account, the bond money must be deposited by the employer in a savings account to be drawn out only upon the joint signatures of employer and employee.

The law regulating private employment agencies was strengthened as follows:

The license fees of private employment agencies were made uniform according to the sizes of cities in which the agencies operate.

The penalty provision of the act was made clearer and more certain of enforcement.

Organizations which collect employment agency fees under the guise of membership dues, initiation fees, or tuition fees were brought under the provisions of the act.

Employment agencies were definitely prohibited from attempting to operate on deposits or fees to which they were not entitled. This law makes it obligatory upon employment agencies to refund fees or deposits of applicants for employment who do not secure jobs to which they are sent, and for which they paid fees or deposits. Failure to return such fees or deposits within 48 hours makes the employment agency liable to the applicant for double the amount of the fees or deposits.

Section 484 of the Penal Code was made more effective by providing that the hiring of additional employees without advising each of them of every labor

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claim due and unpaid, and of every judgment the employer has been unable to meet, shall be prima facie evidence of intent to defraud.

Section 3065 of the Civil Code, relating to loggers' liens, was more clearly worded in order further to safeguard the wages of loggers. This amendment made loggers' liens prior to all other liens, except a lien to the landowner for stumpage.

The law establishing the 8-hour day on public works was amended so as to require contractors to file a verified report as to the nature of any extraordinary emergency when employees are permitted to work over eight hours per day, and the failure to file such report was made prima facie evidence of violation of the law.

Other labor laws passed were—

A law providing for the creation and management of credit unions.

A new law requiring sanitary facilities to be installed in operating rooms of theaters and motion-picture houses.

An amendment to the workmen's compensation law extending its coverage to include all farm labor, unless either the employer or the employee gives written notice to the industrial accident commission of his desire not to come under the law.

A law creating a State board of barber examiners to prescribe minimum standards of sanitation in barber shops and to license barbers.

At the forty-eighth session of the legislature (1929) the following enactments were made:

The private employment agency law was amended to require employment agents to insert, on the receipts issued to applicants for employment, the provision of the law requiring the return of the fee or deposit of an unsuccessful applicant upon demand, within 48 hours. The private employment agency law was also extended to cover farm labor contractors.

The law establishing an 8-hour day on public works was amended to make it mandatory upon contractors doing public work to keep accurate records showing the actual hours worked by all employees, which records must be open to inspection by the labor commissioner and the agents of the public body awarding the contract. This amendment also extended the 8-hour law to cover irrigation and reclamation districts.

The child labor law was amended to make it unlawful to employ minors under the compulsory school age in agricultural pursuits when the public schools are in session. The law was further amended to require that vacation permits shall be issued by superintendents of cities and counties wherein the minor resides. Where such minor resides in a portion of a county not under the jurisdiction of the superintendent of schools of any city such vacation permits shall be issued by the superintendent of schools of such county or by a person authorized by him in writing to do so. Formerly vacation permits were issued by school principals or by custodians of school records.

An amendment to the part time education law was passed providing that unemployed minors must attend continuation classes for not less than three hours per day during the period of the minor's unemployment.

Theft of labor in excess of $200 was definitely made a felony and the procedure in charging theft was simplified so as to require the prosecution to allege and prove merely that the defendant unlawfully took the labor of the worker.

To facilitate the administration and enforcement of the payment of wages laws, a law was passed providing that a summons may be served on a defendant in a suit for the collection of wages in any county where he may be found.

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The pay check law was amended to provide that pay checks must be actually negotiable and payable upon presentation to the bank.

Another amendment made it a misdemeanor willfully to ignore a subpœna issued by the labor commissioner, provided such subpœna does not call for an appearance at a distance greater than 25 miles.

The law providing an 8-hour day for female employees was amended to include within its provisions women employed in barber shops. This law was also amended to prohibit employers in all industrial establishments from giving home work to women who have already worked eight hours and to require employers to keep accurate records of the actual hours worked by female employees, failure to keep such records being made a misdemeanor. Still another amendment made the penalty section of the law more specific, thereby making the law more enforceable.

The blacklisting law was amended to prohibit the fingerprinting and photographing of employees and applicants for employment by agencies for the purpose of interfering with their employment.

The cash bond law was amended to prevent employers from using in their business money intrusted to them as cash bonds. The employer must now hold such money in trust; he is now considered guilty of theft if he mingles it with his own money or uses it in his business.

A law was passed making it mandatory upon employers who require their employees to turn over to them the tips or gratuities left by patrons to post notices to that effect in conspicuous places in their establishments.

Section 1206 of the Code of Civil Procedure was amended to require the sheriff or constable to pay preferred labor claims filed under attachments or executions as soon as the time for disputing the claims expires and to require any party disputing a preferred labor claim to give notice of such dispute to the labor claimant.

Section 3065–B was added to section 3065–A of the Civil Code, relating to loggers' liens, to give a loggers' lien claimant a full 30 days after final cessation of labor to bring suit to foreclose his lien.

The mechanics' lien law was amended so as to deprive bonding companies that write labor and material bonds of many defenses they formerly resorted to, and so as to require the courts to construe all bonds of this type most strongly against the surety companies. Liens were also given for demolition of buildings and landscaping where there is a permanent improvement to the property.

The law creating the industrial welfare commission was amended to provide for more specific records concerning the employment of women and minors; and providing that employers who refuse to keep such records or refuse the industrial welfare commission access thereto shall be guilty of misdemeanor.

The jurisdiction of the industrial welfare commission was extended to females under 21 years of age in conformity with the State law passed by the forty-seventh legislature, which establishes the age of majority of women at 21 years.

The following major amendments were made to the workmen's compensation insurance and safety act by the same legislature:

The maximum weekly payments were increased from $20.83 to $25.

A "subsequent injury" fund was established for the benefit of those who sustain a second injury.

A penalty of 10 per cent, but not exceeding $1,000, may be added to payments of compensation awarded to employees whose employers willfully fail to secure the payment of compensation as provided by law.

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The industrial accident commission was given safety jurisdiction over the State and its political subdivisions.

The definition of the term "employer" was enlarged to include "every State agency."

The industrial accident commission was given the power to deny the privilege of the appearance before it of any person, including attorneys, as representatives of other parties.

The State compensation insurance fund was authorized to insure employers against their liability for compensation or damages under the Federal longshoremen and harbor workers' compensation act.

The industrial accident commission was given complete power to decide what constitutes a case of serious and willful misconduct, and insurance carriers were prohibited from reducing the compensation of an injured worker on the ground of willful misconduct.

A law was enacted providing for the periodical inspection of air-pressure tanks by the industrial accident commission and prohibiting the operation of tanks without a permit from the commission. This law also provides for the issuance of injunctions restraining the operation of air-pressure tanks without permits. The industrial accident commission is also empowered under this law to fix and collect fees for the inspections.

A similar law applying to steam boilers was also passed by the 1929 session of the legislature. This law, like the air-pressure tanks law, requires periodical inspections, prohibits operation without permits, provides for injunctions, and for the fixing and collecting of fees for such inspection by the industrial accident commission.

The other important laws of interest to labor are as follows:

A system of old-age pensions was adopted under which needy persons 70 years of age and over who have been citizens of the United States and residents of California for 15 years may get State and county aid not to exceed $30 per month.

Needy blind persons may require State and county aid not to exceed $600 per year.

A new law was passed providing for the labeling, disinfecting, and advertising of all convict-made goods and requiring that notice that such articles are on sale shall be conspicuously posted in places where such articles are offered for sale. This law also requires that all convict-made goods, whether wholly or partly manufactured or produced in prisons or other penal institutions where convicts are employed, "must be plainly, legibly, conspicuously, and indelibly branded, molded, embossed, stenciled, or labeled with the words 'Convict-made' in plain, bold letters, followed by the name of such penitentiary, prison, reformatory, or other establishment in which the goods, wares, or merchandise were made."

A constitutional amendment was proposed giving the legislature power to provide a retirement system for civil-service employees. This proposal will be voted on by the people during the general election in November, 1930.

Kansas.

The labor department was separated from the public labor committee in 1929 and it now controls all labor and industry. It has supervision over free employment and the women's and minors' division. The labor department is now very well organized.

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Kentucky.

The Kentucky Legislature convened for a regular 60 days' session, beginning January 7, 1930, and the following legislative labor bills were presented: A measure providing for the reorganization of the department of labor, expanding its scope and powers and increasing its personnel; a measure for the establishment of a public employment service to operate in conjunction with the United States Employment Service; a measure for the regulation of private employment agencies; and a measure for the further regulation of hours of work for women by reducing the working-day to 8½ hours.

The bill for the regulation of private employment agencies was passed by the legislature and approved by the governor.

The bills to reorganize the department of labor and to establish the public employment service passed both houses of the legislature, but were vetoed by the governor after the close of the session. Both of these bills were drafted and sponsored by the department of labor. We regret very much the governor's veto of these two bills and we feel that the people of the State will suffer a distinct loss because they were not enacted. These measures were well indorsed by the press, labor organizations, competent experts, representatives of industry, and the public. The deepest regret is that the department remains in a rut for another two years, unable to cope with the complexity of problems in new industrial fields because of inadequate law, and unable to perform the duty that the State owes to its citizenry and its industries.

A measure introduced by the workmen's compensation commission, appointed by the 1928 legislature to revise the workmen's compensation law, failed to pass.

Massachusetts.

There has been very little change in the labor laws of the Commonwealth of Massachusetts since the last convention.

The creation of the Massachusetts Industrial Commission, which became a part of the department of labor and industries last year (1929) and which was organized for the purpose of promoting and developing the industrial, agricultural, and recreational resources of the Commonwealth, is now making an investigation (by authority of the legislature) of the conditions affecting the textile industry and the problems of unemployment in that industry and in other industries, and in connection therewith to consider the question of providing insurance against unemployment.

The department has appointed a committee which is now revising our compressed-air rules and regulations (established in 1916) so as to bring them up to date in anticipation of the construction of a tunnel under the harbor from Boston to East Boston.

The commission appointed last year to make an investigation of the laws relating to dependent, delinquent, and neglected children, and children otherwise requiring special care, has made its report, and the legislature this year passed a resolve continuing the commission and authorizing it to obtain data for and otherwise cooperate with the White House Conference on Child Welfare and Protection, and to report further in the matter.

In 1919 there was established a special commission on the necessaries of life to study and investigate the circumstances affecting the prices of the commodities which are necessaries of life. It was given power to inquire into all matters relating to the production, transportation, distribution, and sale of the said commodities, and into all facts and circumstances relating to the cost of production, wholesale and retail prices, and the methods pursued in the conduct of the business of any person, firm, or corporation engaged in the production, transportation, or sale of the said commodities, or of any business

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which relates to or affects the same. It was further authorized to hold hearings, to administer oaths, to require the attendance and testimony of witnesses and the production of books and documents and other papers. This commission went out of office May 1 of this year (1930) and its work is to be assigned to a separate division established for the purpose within the Department of Labor and Industries.

The workmen's compensation act has been extended in cases where death results from an injury to an employee, to include the children by a former wife wholly dependent upon his earning for support at the time of the injury.

The legislature also passed a law this year which provides that any person operating or using a motor or other vehicle (whether or not belonging to his employer), with his employer's general authorization or approval, in the performance of work in connection with the business affairs or undertakings of his employer, whether within or without the Commonwealth, who is injured in an accident arising out of and in the course of his employment, shall be conclusively presumed to be an employee and to come within the scope of the workmen's compensation law of Massachusetts.

Since the last convention the commissioner of labor and industries has appointed a committee, composed of the leading industrial physicians in the Commonwealth who have consented to work with and advise the commissioner in the study and prevention of occupational diseases. Every such case has to be reported under our statute. This has brought good results to the department in its prevention work.

New Jersey.

Digest of 1930 labor legislation, by Colonel Blunt:

Joint Resolution No. 6 creates a commission to investigate and study the matter of employment of migratory children in this State, and conditions surrounding such employment.

Chapter 26 gives the commissioner of labor control over the distributors of home work.

Chapter 104 prohibits discrimination in public employment against a person over 40 years of age. Does not apply to police or fire departments, or guards at penal institutions.

Chapter 185 establishes a safety code in the construction industry.

Chapter 42 regulates the manufacture, storage, transportation, and sale of fireworks.

Chapter 16, which was approved March 18, 1929, continues the commission created pursuant to the provisions of an act entitled "An act to create a temporary commission to inquire into and report upon the number, distribution, and condition of crippled children throughout the State, to recommend means more adequately to meet their needs, and making an appropriation therefor," approved March 26, 1926.

Comments on two bills introduced during the legislative session of 1930, by Mrs. Summers:

During the legislative session of 1930 in New Jersey, two bills were introduced at the request of the bureau for women and children in the department of labor. One of these bills, known as Assembly Bill No. 159, further regulates home work in New Jersey by requiring the licensing of contractors and distributors as well as the home workers, thereby giving the bureau access to the list of home workers held by these contractors and the further knowledge of where and under what conditions home work is being done. This bill is now

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chapter 26 of the Laws of 1930, and already a vast improvement in the homework situation is apparent.

Another bill introduced for the bureau is known as Assembly Joint Resolution No. 6, or the migratory child resolution, and is the first official step taken toward the correcting of a very serious condition caused by the influx into the State of New Jersey of children from Pennsylvania who, with their parents, are employed on the truck farms and in the cranberry bogs of New Jersey from early April until late October. The conditions under which these children particularly are employed, the housing, sanitation, absence from school, and many other factors entered into any possible attempt at solution. Legislation has been introduced year after year in New Jersey in an attempt to correct the condition, but up to the time that the bureau for women and children was established nothing at all had been accomplished.

The director of the bureau soon realized that if anything was to be done at all, the farmer himself must be an interested and cooperative part of the program, and after many conferences, wherein suspicion of the director's motives and fear for their own industry was very apparent on the part of the farmers, the final establishment of an understanding between the farmers and the bureau became a reality, and with the consent of all concerned this resolution was introduced, calling for a commission to be composed of a representative of the State department of labor, State department of education, State department of agriculture, and the State department of health. This commission has the widest possible powers and will endeavor to bring about a solution of the problem and proper legislation covering all phases of this work. The bill became a law and the commission will be appointed this week (May 19).

In anticipation of this appointment, a complete and comprehensive questionnaire has been prepared covering every possible phase of the migratory situation.

New York.

Chapter 585 removes from section 17 of the labor law the maximum limitation of $7,000 upon the salary of the deputy industrial commissioner. Chapter 85, the general appropriation law, assigns him a salary of $8,000.

Chapter 323, amending section 18 of the labor law, subjects transfer of employees within the department, removal of them from State employ, and abolishment or consolidation of their positions to the civil service law. It takes effect December 1, 1930. By chapter 642 of the Laws of 1921, the industrial commissioner had been exempted from the civil service law's provisions relative to such transfers, removals, and changes of position, with exception that he might not remove an employee without advance notice, statement of reasons in writing, opportunity to reply, etc.

Woman employees.—Chapters 867 and 868, effective April 28, 1930, amend sections 172 and 181 of the labor law in order to give females over 16 years of age employed in factories and mercantile establishments a half holiday in addition to an entire day of rest each week throughout the year. They prevent employers from lengthening weekly short workdays beyond four and one-half hours each by applying to them the 78 hours overtime permitted under amendments to these sections by chapter 453 of the Laws of 1927. They thus annul the court decisions in People *v.* Elite Steam Laundry, 226 App. Div. 35, and People *v.* Marlin Rockwell Corp., 133 Misc. 741.

Railroad grade-crossing eliminations.—Chapter 804, effective April 25, 1930, declares elimination of grade crossings for cost of which the State or a civil division thereof is liable in any proportion to be public work for the State or

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such civil division and as such subject to article 8 of the labor law which limits hours of mechanics, workingmen, or laborers to eight hours, except in extraordinary emergency. Presumably such grade-crossing work is subject also to section 160 of the labor law, which debars agreement for overtime upon work for the State or a municipal corporation. Every contract for such grade-crossing elimination must contain an 8-hour stipulation. Enforcement of the act is committed to the industrial commissioner. This legislation offsets the court of appeals decision in the grade-crossing case (People ex rel. N. Y., Brooklyn & Manhattan R. R. *v.* Prendergast, 209 N. Y. Rep. 598), as interpreted by opinion of the attorney general, May 18, 1921.

Motion-picture projectionists.—Chapter 748, effective September 1, 1931, more than 16 months after signature, gives a day of rest each week to projectionists or operators in the employ of motion-picture theaters.

Railroad grade-crossing eliminations.—Chapter 804, described under the preceding title, governs wages as well as hours. In accordance with it, the prevailing wage rate for a day's work in the same trade or occupation in the locality where a grade crossing is situated must be paid to mechanics, workingmen, and laborers engaged in its elimination. Every contract must so stipulate. Wages must be paid in cash.

Mechanics' liens.—Chapter 859, effective October 1, 1930, amends the lien law generally. New provisions inserted by it subject insurance proceeds of buildings destroyed by fire or other casualty to wage liens and regulate liens for both public and private improvements of real property by making contractors, subcontractors, and other assignors of moneys responsible for such moneys as trust funds to be applied to payment of laborers, surveyors, engineers, architects, subcontractors, and material men before use for any other purpose. Labor lienors upon public improvement work have preference over lienors of other classes. An assignor violating this trust is guilty of larceny, instead of misdemeanor as heretofore. Other new provisions set up court procedure for expediting payment to assignors of contract moneys in excess of pending liens and for vacation of liens found to be groundless or otherwise defective. The court may void a lien willfully exaggerated by the lienor. The joint legislative committee that framed chapter 859 has been continued for future investigation and report upon the subject.

Payment after death of employee.—Chapter 175 puts it within the power of an employer to pay wages or personal earnings not exceeding $150 due to a deceased employee direct to his family without administration or probate proceedings. At least 80 days must intervene between death and payment. If the employee's estate has other assets, recipients of the wages are not to be relieved of accountability. The term "employers" includes the State and its municipal corporations without limitation.

Canal employees.—Chapter 479 of the laws of 1929 gave the court of claims jurisdiction over claims of canal laborers, workmen, and mechanics for the difference between the wages paid by the State to them subsequent to April 1, 1923, and higher wages paid by other employers in the localities where they had been working, such claims to be filed within six months from April 10, 1929. Chapter 736 of the laws of 1930 amends the 1929 act so as to extend the time for filing claims until September 1, 1930, and to include claims of canal laborers, workmen, and mechanics paid monthly or yearly wages under the annual appropriations acts of the State. Claims filed under the amendment are to cover employment subsequent to September 15, 1924. Chapter 736 apparently supersedes chapter 701 on the same subject.

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Public works.—The State has liberally appropriated many millions of dollars for public building, highway, and other construction work largely with a view to relief of unemployment.

Chapter 689, effective April 23, 1930, amends section 222 of the labor law to give preference to citizens of the State of New York over other persons in employment upon public work of the State or its civil divisions. As it stood before this amendment, the section gave preference to citizens over aliens, the word "citizens" presumably putting all citizens of the United States on an equal footing. To be a citizen of New York one must be both a citizen of the United States and a bona fide resident of the State. The time limit of residence for citizenship of New York is accordingly indefinite. The contracting authorities of New York City, Buffalo, Rochester, and Syracuse must report to the department of labor the name and address of every contractor for public works of such cities, and each such contractor must keep a list of his employees showing their status as to United States citizenship.

Study of State employment offices.—Chapter 425 authorizes the industrial commissioner to study the employment offices of the State, the intent being to cooperate with the Federal authorities in an intelligent long-time employment program. The commissioner may accept contribution of funds for this work.

War veterans and widows—Licenses for peddling.—Chapter 384 amending section 32 of the general business law, regulates hawking and peddling by war veterans or widows, design being to exclude imposters. It includes an amendment effected by chapter 107, an earlier chapter of the session.

Blind workmen's labels—Protection.—Chapter 120 makes it a misdemeanor, punishable by fine or imprisonment, or both, to use an imprint or label falsely indicating that an article has been made by a blind workman.

Goods made by convicts in other States.—By act of Congress approved January 19, 1929, goods, wares, and merchandise manufactured, produced, or mined by convicts or prisoners in one State and transported into another State will, on and after January 19, 1934, be subject to the laws of the State into which they have come as though manufactured, produced, or mined in such State; that is, the statutes of the State governing goods produced by its own convicts will govern imported goods. In anticipation of this event, chapter 136 of the New York Laws of 1930 prohibits the importation of such goods into New York for sale from and after January 19, 1934. On that date the present New York law requiring and regulating the branding, labeling, or marking of imported convict-made goods and providing for the licensing of vendors of them, will stand repealed by section 2 of chapter 136. For the present law, see Special Bulletin No. 155, pages 10 and 59.

Wages of prisoners.—Chapter 503 regulates compensation of State prisoners for work performed by them. Such compensation is no longer to be based upon earnings of prison industries, but is to be paid out of capital funds and is no longer to be subject to forfeiture for violation of parole. Disbursement of it to dependent relatives is conditioned upon investigation and certification by a public welfare agency in the county wherein they reside.

Chapter 273, a companion law to chapter 503, increases the clothing, pocket money, and railroad fare allowance of prisoners upon discharge of parole.

Investigating commission.—Chapter 825 creates a temporary State commission for study of prison administration, one of whose objects is to formulate a plan for expansion of prison industries.

Permits for construction.—Chapter 309, effective April 4, 1930, amends section 276 of the labor law to require that plans and specifications for all buildings or structures, except those in New York City, required to conform to the

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structural requirements of the labor law or the Industrial Code shall be submitted to and approved by the department of labor before construction begins. Hitherto such submission has applied to factory buildings only, has extended to alteration as well as construction and has been permissive, not mandatory. Section 276 is part of article 11 of the labor law, the title of which is "Factories." The engineering division of the department of labor, proceeding to enforce the new provision, is holding it applicable to factory buildings, factories, buildings containing mercantile establishments, and places of public assembly, as these terms are defined by subdivisions 9 to 12, inclusive, of section 2 of the labor law.

Demolition.—Chapter 603, effective April 19, 1930, empowers the industrial board to make rules relative to the demolition of all buildings or places to which the labor law applies and extends the law's provisions relative to safe scaffolding and other contrivances to demolition work upon buildings or structures of all kinds. It also requires the fencing of elevator and hoisting shafts used in construction work, whether such shafts be without or within buildings.

New York City classification.—Chapter 857 excludes from the labor law's definition of a "factory building" any building in New York City used exclusively by one employer if not more than one-tenth of the employees therein are doing work for a factory, as defined in section 4 of the labor law. Chapter 858, amending section 270 of the labor law, specially exempts such New York City buildings from the fireproofing and exits provisions prescribed for factories. The two chapters took effect April 28, 1930. They are apparently applicable to large department stores that do factory work incidental to mercantile business.

Factory floors—Linoleum, etc.—Chapter 293 permits factories to use linoleum, cork composition, or rubber composition one-half inch thick or less upon their floors, but not upon their stairs.

Window cleaners.—Chapter 605, effective April 19, 1930, defines "public buildings" and requires safety devices for persons cleaning their windows from the outside. Apparently it does not cover churches but does cover dwelling houses if three or more stories high or occupied by three or more families.

Passenger elevators—Seats for operators.—Chapters 604, effective July 1, 1930, requires seats in public passenger elevators for their operators in any building having more than one elevator, if such operators do not have recess periods. It does not apply to factories.

Chapters 60, 183, 184, 316, 521, 609 and 698, seven in all, amend the workmen's compensation law. Other acts directly or indirectly affecting compensation are chapter 192, amending the correction law; chapter 327, amending the civil practice act; chapter 85, the general appropriation law; and chapters 343 and 832, other appropriation measures.

Occupational diseases.—Chapter 60, effective October 1, 1930, adds blisters, abrasions, bursitis, synovitis, and dermatitis to the list of compensable occupational diseases and broadens the application of the radium and X-ray provision. It renumbers the clauses of the list to make them continuous.

Total loss of sight—Minimum compensation.—Chapter 609, effective April 19. 1930, raises the minimum weekly compensation for loss of both eyes from $8 to $15.

Neck disfigurement.—Chapter 316, effective July 1, 1930, permits the industrial board to award compensation for disfigurement of the front of the neck in addition to any award for disfigurement of the face or head, the total not to exceed $3,500. The department's referees may not hear such cases. This legislation partly annuls the decision in Fostner *v.* Morawitz, 211 App. Div. 824; 215 App. Div. 176; 140 S. B. 142.

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Previous disability fund—Additional revenue.—Chapter 521 makes the license fees collected from representatives of compensation claimants and self-insuring employers under section 24–a and subdivision 3–b of section 50 of the workmen's compensation law an additional source of revenue for the special fund established by subdivision 8 of section 15. Other additional sources are fines collected under sections 25 and 52. Chapter 698 requires payment of fines collected under section 52 directly to the industrial commissioner, instead of the State treasury, as heretofore.

Vocational rehabilitation fund—Investment.—Chapter 183 empowers the commissioner of taxation and finance to invest surplus moneys of the special fund established by subdivision 9 of section 15 of the workmen's compensation law in securities legal for savings banks. Incidentally thereto he may sell securities.

Wage-earning capacity—Determination.—Chapter 316, effective July 1, 1930, establishes two methods of determining wage-earning capacity as a basis for compensation in cases falling under paragraph *v* of subdivision 3, or subdivision 5 of section 15, or section 39, of the workmen's compensation law. First, if the employee has been, or is working after his injury, such capacity is identical with his earnings. Second, if he has earned nothing following his injury, the industrial board may assign to him an earning capacity reasonable, in the interest of justice and not in excess of three-fourths of what he earned on full time before his accident. These new provisions are intended to clarify conditions that have caused much controversy.

Wages paid or compensation advanced to injured employee, credit against awards for.—Chapter 316, effective July 1, 1930, permits and requires credit against unpaid awards in reimbursement of an employer for payments made to an injured employee " in like manner as wages," as well as for " advance payments of compensation," but such employer may waive reimbursement.

Self-insurer's securities.—Chapter 184 makes deposit of securities a mandatory condition of self-insurance and gives the industrial commissioner power to deny the self-insuring privilege. The commissioner may determine the amount of securities in each case.

Insurance of employers and corporation officers.—Chapter 316, effective July 1, 1930, changes subdivision 6 of section 54 of the workmen's compensation law by automatically including every executive officer of a corporation in any insurance contract covering its employees unless he elects in writing not to be brought within the law's coverage, and incidentally takes away the privilege of workmen's compensation insurance from an unincorporated employer, but not from his employees. This provision relative to election is the direct opposite of the former plan under which employers and corporation officers were included only if they elected so to be.

Action of injured employees for damages—Reversal of judgment or termination of action.—Chapter 327 amends section 23 of the civil practice act with intent to relieve an injured employee who has brought an action for damages on account of accidental injury and whose action has been terminated otherwise than by voluntary discontinuance, dismissal of complaint for neglect to prosecute, or final judgment upon the merits, or whose favorable judgment has been reversed on appeal without award of a new trial. Intent of this 1930 amendment is that in such a case the injured employee or his beneficiaries, if he has died of his injuries, may institute compensation or death benefit proceedings under the workmen's compensation law within one year after termination or reversal of the action. The workmen's compensation case of Decker *v.* Pouvailsmith Corp., 252 N. Y. 1, illustrates the condition that Chapter 327 aims to correct. In its opinion the court of appeals expressly held that section 23 of

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the civil practice act was inapplicable to Decker's claim. The appellate division's decision in Golden *v.* Hotel Kenmore, 217 App. Div. 807; 149 S. B. 270, was of like import.

State employees.—Chapter 192 grants three-fourths of his annual salary and maintenance allowance as pension to a State prison or reformatory employee or an employee in the department of correction who is totally disabled by accident or injury while on duty and who is not a member of the up-State general retirement system. This applies to six or seven hundred older employees. Section 30 of the workmen's compensation law apparently excludes them from the compensation law's benefits.

Explosives.—Chapter 512, effective April 16, 1930, generally amends the labor law's article governing explosives. Its amendments (1) strike out an exemption of small quantity of five pounds of explosive or less; (2) require encasement and storage of explosives except while being "blasted," instead of while being "used" as heretofore; (3) confine storage to magazines alone, instead of factory buildings and magazines; (4) compel storage of blasting caps or detonators in quantity of less than 1,000 in locked magazine, separate from other explosives, such requirement having heretofore applied only to quantity of 1,000 or over; (5) prohibit possession of explosives without certificate showing compliance with magazine requirements, such prohibition having hitherto applied to storage; (6) permit possession without such certification if holes are drilled and explosives are obtained and loaded into them for immediate blasting; (7) forbid delivery, gift, or sale of explosives to persons under 18 years of age; (8) forbid sale or gift in any quantity whatever without record in writing, sale or gift of five pounds or less having been exempt from record heretofore.

Section 1894 of the penal law prescribes penalties for offenses in the handling of explosives. Chapter 571, effective September 1, 1930, amends such section to make injury to person or property by unauthorized alcoholic distillation a felony.

Injunctions in labor disputes.—Chapter 378, effective September 1, 1930, provides that a court may grant an injunction order only upon notice. Heretofore judges have had power to issue such orders with or without notice at discretion.

Bribery of employees.—Chapter 409, effective September 1, 1930, amends section 439 of the penal law relating to corrupt influencing of agents, employees, or servants. Its amendments (1) penalize omissions and falsifications of receipts, accounts, invoices, or other documents with intent to deceive employers, both third party and employee being liable; (2) permit imposition of both fine and imprisonment; and (3) allow courts to require persons to testify conditional upon immunity from prosecution.

North Dakota.

Much time has been given to the subject of eight hours for women. This found much opposition, but a test case before the supreme court resulted in the 8-hour law for women. Since then there has been a complete reorganization in the compensation board and now unity reigns between board and governor.

Ohio.

The only labor legislation enacted by the last general assembly was the addition of three occupational diseases, as follows:

Manganese dioxide poisoning.—Any process involving the grinding or milling of manganese dioxide or the escape of manganese dioxide dust.

Radium poisoning.—Any industrial process involving the use of radium and other radio-active substances in luminous paint.

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Tenosynovitis and prepatellar bursitis.—Primary tenosynovitis characterized by a passive effusion or crepitus into the tendon sheath of the flexor or extensor muscles of the hand, due to frequently repetitive motions or vibration or prepatellar bursitis, due to continued pressure.

This law became effective July 24, 1929.

Ontario.

The apprenticeship act, 1928, was amended to permit defraying the costs of maintaining a system of apprenticeship and administering the act, and the responsible minister is empowered to assess employers in any designated trade such annual sums or otherwise as may be specified in the regulations. A further amendment to this act provides for regulations being enacted to govern the manner of making all such assessments and the collection and distribution of same.

Important regulations pertaining to the operation of mines were enacted by an amendment to the mining act. These regulations govern the age of employment in and about mines, physical fitness of workmen to engage in underground work, provisions for an inquest to be held in case of a fatality, empowering a manager of a mine to make rules not inconsistent with the regulations and the enactment of rules pertaining to fire protection, aid to injured, prevention of dust, method of handling water, ventilation, sanitation, care and use of explosives, protection in working places, shafts, winzes, raises, etc., ladderways, ladders, shaft equipment, raising or lowering persons, hoisting, signals, code of mine signals, haulage, inspection of boilers, method of removing material in sand and gravel pits, protection in metallurgical works, operation of cranes and elevators, use of electricity, and generally all matters associated with the operation of mines and the protection of persons engaged therein.

A further amendment of the mining act makes the owner, manager, proprietor, or superintendent of any mine or works liable to a penalty of not less than $100 nor more than $500 for permitting any person to be employed in a mine without being the holder of a certificate given by a medical examiner under the requirements of this act.

A minor amendment to the mothers' allowances act gives statutory power to the secretary of every local mothers' allowances board for the purpose of taking declarations and affidavits and receiving evidence under oath.

An amendment to the old-age pension act, 1929, provides that for the purposes of this act a member of a municipal council may be appointed as a member of a local old-age pension board and is not disqualified from being a member of any such municipal council by reason of this appointment.

Pennsylvania.

Since the passage of the labor laws affecting the employment of women and children in 1913 and 1915, respectively, and the general factory act of 1905 there have not been any radical changes until the 1929 session of the legislature, at which time the department of labor and industry fostered seven bills covering changes in these laws.

There was no change in the child labor law. A bill, however, was passed in which this department was not directly concerned and which provided for an extension of physical examination service for minors 14 and 15 years of age desiring to obtain employment certificates. So far as the general factory act is concerned the original act has been superseded in a number of its sections by later legislation. The act as originally passed in 1905 included general factory inspection, elevator inspection, home-work restriction, bakery inspection, boiler inspection, and requirements for means of egress in certain build-

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ings. The first of these sections to be superseded was that covering means of egress, which was covered by a separate act of 1909. The next section to be superseded was the bakery requirements which is covered by the present bakery law of 1919. In 1923 the sections pertaining to elevator and boiler inspection were amended. In 1909 and 1913 the original provisions pertaining to the employment of women and children were superseded by the child labor law and the present woman's law. The administrative features of the act pertaining to the department of factory inspection were repealed in 1913 by the act creating the department of labor and industry, which act abolished the department of factory inspection but continued the powers and duties of that department with additional ones under the department of labor and industry. In 1917, 1921, 1923, and 1925 amendments were passed for the fire and panic act of 1909 covering means of egress from all buildings in which persons are employed or assembled. In 1915 an amendment was passed for the woman's law providing in certain hotels and institutions that the required day of rest each week might be subdivided into two half days each week. In 1927 the fire and panic act with its amendments was repealed and a new act substituted. This, then, was the status of the several laws at the time the legislature met in 1929.

Preliminary to the convening of the legislature it was decided that certain further changes were desirable in some of these laws. As regards the woman's law there was some question in connection with prosecution procedure, inasmuch as the act contradicted itself by declaring that a violation of the law constituted a misdemeanor but the proceedings specified summary action. This was clarified by an amendment which struck out the term "misdemeanor" and specified distinctly that the action would be summary proceedings. Similar changes were made in the bakery law and in the act of 1913 creating the department, changing procedure in prosecution from misdemeanor cases to summary proceedings. This permits prosecution before an alderman, magistrate, or justice of the peace and so obtaining a final decision in their courts instead of going through the formality of obtaining an indictment before a grand jury.

The sections of the original factory act of 1905 pertaining to the inspection of elevators and boilers were repealed and covered by separate and uniform laws covering both of these subjects. At the same time our enforcement authority was strengthened by providing for placing unsafe elevators and boilers out of service either temporarily or permanently. Also, the new laws provided uniform regulations for the examination and certification of inspectors of elevators and boilers in Pennsylvania. The only other new feature in these laws was a provision requiring the registration with this department of all elevators and boilers coming within our jurisdiction.

A new building law was drafted and introduced into the legislature, but it was thought, under the circumstances, wiser to make amendments to the fire and panic act of 1927 to strengthen it and overcome certain objectionable features due to the loose construction of the 1927 act than to pass a new law.

In view of the fact that the regulation of labor camps in this State is not clearly handled in legislation a bill providing definitely for regulations and control of labor camps was also drafted and introduced. This bill, unfortunately, on the second reading was returned to the committee and died there.

In addition to legislation sponsored by the bureau of inspection, the bureau of employment drafted and introduced legislation covering the regulation of employment agencies, superseding the original act of 1915. This bill was intended to strengthen the control of employment agencies, fixed fees for definite classes of employment agencies, and provided for its enforcement.

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The bureau of workmen's compensation sponsored one piece of legislation covering the reporting of accidents, changing the basis for reporting from disability of two or more days to cover disability extending beyond the day, shift, or turn in which the accident occurred. The amendment also required the immediate reporting of all fatal injuries. It was rather interesting to note that the opposition which resulted in this legislation's dying in committee came from sources now reporting injuries on the same basis as required by the new legislation.

The workmen's compensation law was further amended to extend the benefits of compensation to employees of Pennsylvania concerns whose duties require them to go temporarily beyond the territorial limits of the State and who may sustain injury while on such duty. A further amendment increased the penalties to be imposed upon employers who failed to take out compensation for their employees. In addition there were some further amendments in the awards to the beneficiaries in compensation.

There was a further piece of legislation enacted in 1929, known as the Administrative Code, which covers powers and duties of all branches of the State government. As far as this department is concerned, this legislation merely restated the powers and duties of this department given in the original Administrative Code of 1923. The principal change in this legislation pertains to the regulation making power of this department. Under the act of 1913 creating this department the industrial board was the authorized agency for the drafting and adoption of rules and regulations. Under the 1923 Administrative Code, however, the status of the industrial board was changed to that of an advisory board and the rule and regulation making authority was transferred to the department and is now reposed in the bureau of industrial standards.

Quebec.

The most salient feature of labor legislation in this Province is the adoption of the 55-hour week for all industries, the radical improvement of the minimum wage law, and the application of a new compensation act, which is on trial at the present time.

West Virginia.

The last biennial session of the legislature was in 1929. One act provided for rigid supervision of employment agencies, and as a result the private employment agencies in the State have just about been eliminated. That was one act of importance and value.

The 1929 legislature amended and reenacted the section of the law relating to the guarding of all power-driven machinery, projecting set screws, laundry machinery, vats and pans, and other receptacles containing molten metal. The law further provides that dangerous places in workshops be properly fenced or guarded; and that machines known to be defective be not used. The law further authorizes the commissioner of labor to adopt codes promulgated by the American Association of Mechanical Engineers and approved by the United States Department of Labor relating to scaffolding, hoists, etc. It also provides that first-aid equipment shall be kept on hand.

Alabama.

This State has no labor laws; and factory owners come in from New York, Massachusetts, and California because of this situation. About four years ago a sort of "gentlemen's agreement" was made whereby the mills work 53 hours a week.

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DISCUSSION

Mr. Roach (New Jersey). I am interested in what the previous speaker said about mills moving from the North to Alabama, because not long ago the manager of one of our very large mills advised me that he could move his business south and thereby effect a considerable saving. In the community he had under consideration he was offered a large tract of land with excellent water facilities and free taxes for a period of five years. After the 5-year period the taxes were to be levied on a nominal basis. It was said that in that section of the country labor was plentiful and that labor troubles were uncommon. This offer looked attractive but I have reason to believe, in view of the unrest that seems to prevail in the South among the labor forces, that removals of this kind have their disadvantages. It seems to me there are definite economic forces that can not be overcome by removing a business enterprise from one section of the country to another. If, in a populous city in the North, taxes are higher than in a rural section of the South, there may be manufacturing advantages that are to be enjoyed. While in some parts of the South it is said that tax exemptions in one form or another for a period of 25 years are inducements offered to northern mill owners, such concessions may or may not be advantageous to the South in the final economic analysis. The position that tax boards in our State would take on a suggestion of this kind is not problematical.

Mr. Stewart. Relative to this mill proposition, would you suggest to the tax commissioner that, in order to keep this firm, he recommend that it be freed from all such taxes mentioned for a period of 25 years, and further should be furnished power and light for 25 years; otherwise it would move to the State which was bribing it to come?

Mr. Roach. I am sure our tax boards would not give serious consideration to a proposition of that kind.

In regard to the reduction of accidents, Mr. Reagin, delegate from Indiana, claimed that his State had reduced the number of accidents in industry. This statement met with opposition from many of the delegates, who claimed that it was impossible to show that any State had reduced the number of accidents. If Mr. Reagin's State had done it, the other delegates wanted to know how it had been accomplished.

General Sweetser (Massachusetts). None of us knows very much about it. If all States were under the compensation law we might be able to determine the number of accidents, but in New Jersey and in Massachusetts there are 100,000 companies that are not under compensation laws at all. It may be that in States where they have complete coverage they may know; we can never know in any State in the Union whether we are coming or going or standing still until we know the number of man-hours, and so forth, and are completely covered.

As far as safety campaigns go, I know of an incident where, in a factory of 235,000 men, one gang interested in safety work suffered a total of 105 fatalities, while another gang, much larger and not

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interested in safety work, during the same period, suffered only 25 fatalities. It may have been a case of luck with the second group.

I once heard a superintendent say that the men were not doing safety work and that he did not believe they were reporting accidents, in order to make a record, win the prize, or whatever it was.

We can not say we have reduced accidents until we have gotten to the base of the thing.

Mr. Gernon (New York). We will never be able to reduce accidents until we are able to place the responsibility. Education and safety are fine, but when we have the sort of safety campaign that offers prizes and keeps the men from reporting accidents rather than spoil their record, we have nothing.

REPORT OF CALENDAR REFORM COMMITTEE (ETHELBERT STEWART, CHAIRMAN)

There has been no meeting of the committee since the last convention. The question I wish to bring before the organization for consideration at this time is, however, the following:

Are we in favor of having a world conference on the subject of reform or change of the calendar with no delegate from the United States present? Representation of the United States was all that the resolution last year called for. That was all that the bill in Congress called for.

After some discussion the following resolution was adopted:

Resolved, That it is the desire of this convention that the United States should be represented in any world conference which is to consider change or changes in the calendar.

PROVISION FOR PROGRAM COMMITTEE

After Miss Swett had made some comments on the desirability of the executive board's meeting at least once to frame a program, Mr. Stewart suggested that a program committee, composed of the president, the secretary, and a third member appointed each year by the president, might acceptably serve in drawing up a program. The tentative program could then be acted upon by the executive board.

Mr. Stewart's suggestion received favorable consideration by the convention.

STATE SUPERVISION OF EMPLOYMENT AGENCIES

Referring to Mr. Jarrett's comment on the employment agency situation in West Virginia, Doctor Patton said that the New York State Department of Labor has no control over private employment agencies. The department operates 10 employment offices, 4 in New York City and 1 each in six other cities of the State. These offices register, refer, and place a large number of workers each year, but the majority of registrations and placements are made by private fee-charging agencies. The New York State Department of Labor, like other State departments, lacks resources to operate a sufficient number of offices to fill the need for public employment agencies. Private employment agencies operate under the general business law of the

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State, which places supervision, inspection, and regulation under the separate municipalities of the State.

STATISTICS OF EMPLOYMENT

Doctor Patton outlined the program of the American Statistical Association for statistics of employment and unemployment in the United States to be presented to the National Conference of Governors of States in Salt Lake City in June, 1930, after being presented for consideration at this convention. The report, with the resolution adopted unanimously at this session, is here given in full.

Program for Statistics of Employment and Unemployment in the United States

Recommendations of the Committee on Governmental Labor Statistics of the American Statistical Association, to be presented to the National Conference of Governors of States in Salt Lake City, June 30 to July 2, 1930, after consideration in the Association of Governmental Officials in Industry of the United States and Canada, in May, 1930

At a meeting of the executive committee of the National Conference of Governors of States, held in Annapolis, March 22, 1930, the following resolution was passed:

Resolved, That the executive committee of the governors' conference recommends that the governors' conference provide for a permanent administrative committee to act as a research and service organization and as a fact-finding body to furnish any information on public questions which may be from time to time required by the State governments or their various branches, departments, or bureaus, and the administrative set-up; the financing and all other details connected with such permanent administrative committee (provided the governors' conference decides on the same) shall be determined by the governors' conference or under its direction.

At the same time four topics were decided upon for discussion at the next annual conference of governors, to be held in Salt Lake City, June 30 to July 2. One of these was unemployment.

This committee has long studied the essential needs in regard to the collection of data on employment and unemployment, and thus is prepared to make a series of recommendations to the governors' annual conference, after consideration in the Association of Governmental Officials in Industry of the United States and Canada, in May. These recommendations relate to five main topics, as follows:

A. *General collection of statistics of employment trends.*

1. The collection and publication, at least once each month, of statistics of employment trends as indicated by number of persons employed, total wages paid and, whenever feasible, total hours of employment, in a selected list of firms in the following industries and their principal subdivisions: (1) Manufacturing; (2) mining and quarrying; (3) construction; (4) agriculture; (5) transportation and communication; (6) retail and wholesale trade; and such other industries as may be important to include.[1]

[1] This recommendation was made by the committee at the annual meeting of the association in December, 1923. At that time the committee set up the main requirements for the collection of employment statistics and suggested that the initial responsibility for the collection be put upon the States, with the United States Bureau of Labor Statistics as the coordinating center; that the bureau should make the collection in the inactive States and should publish a comprehensive summary. Federal departments, such as the Department of Agriculture or the Geological Survey, should collect employment data in their fields and report them to the Bureau of Labor Statistics for inclusion in the summary. For the set-up of the committee's plan in 1923 see the report of the American Statistical Association for March, 1924.

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2. To this end it is of utmost importance that more States should adopt the present method of monthly collection of employment data for a selected list of firms, and that more nonmanufacturing industries should be included in the compilations. (As indicated in the appended table, monthly employment data on manufacturing are at present collected by State or other bureaus in 15 States; for public utilities, including transportation, water, light and power, etc., in 9 States; for the construction industry, in 6 States; for retail or wholesale trade, in 5 States; for mining, in 5 States; for services, in 3 States; for hotels, in 2 States—1 includes restaurants; for quarrying, in 2 States—1 includes stone crushing; and for logging, in 1 State.)

3. The extension of the present collection of employment data by the United States Bureau of Labor Statistics to cover, in more nearly complete form, all the industries now included, and to include other industries, notably building construction.

In April, 1928, Senator Wagner introduced a bill proposing an amendment, prepared by the committee, to the United States Department of Labor act, to extend the collection of employment statistics of the United States Bureau of Labor Statistics to industries other than manufacturing. Although the bill was not passed at the time,[2] the Government acted on its proposals. The necessary funds were provided and the Bureau of Labor Statistics extended the scope of its employment data. In August, 1928, wholesale and retail trade were encompassed, and before the close of the year certain public utilities—anthracite and bituminous coal mining, metalliferous mining, and hotels—were added. The reports for May, 1929, were further extended to include canning and preserving, and for June to include quarrying and nonmetallic mining.

By March, 1930, the pay-roll reports of the bureau represented 36,810 establishments, with 4,915,407 workers and a weekly pay-roll disbursement of $132,227,077. The distribution of this sample was as follows:

ESTABLISHMENTS, EMPLOYEES, AND AMOUNT OF PAY ROLLS IN MARCH, 1930, BY INDUSTRY

Industry	Establishments	Employees	Weekly pay roll
1. Manufacturing	13, 074	3, 307, 559	$89, 103, 676
2. Coal mining	1, 532	308, 921	7, 412, 624
Anthracite	152	84, 645	2, 497, 942
Bituminous	1, 380	224, 276	4, 914, 682
3. Metalliferous mining	361	58, 288	1, 748, 343
4. Quarrying and nonmetallic mining	679	34, 159	873, 136
5. Public utilities	10, 117	727, 072	22, 247, 085
6. Trade	8, 754	294, 190	7, 584, 981
Wholesale	2, 069	63, 490	2, 014, 896
Retail	6, 685	230, 700	5, 570, 085
7. Hotels	1, 862	164, 762	2, 881, 537
8. Canning and preserving	431	20, 456	375, 695
Total	36, 810	4, 915, 407	132, 227, 077

A great lack still exists in the employment reports of the bureau, in the absence of data on construction. Although the problems connected with the compilation of such data are many, it is essential that such collection be undertaken because of the great importance of this branch of industry.

With June, 1929, the bureau began its first current monthly report on labor turnover in manufacturing industries. These data had been collected and

[2] In late April, 1930, Senator Wagner's bill was passed by the Senate (along with his bill authorizing the preparation of a long-range construction program).

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compiled for several years by the Metropolitan Life Insurance Co. under the direction of Dr. W. A. Berridge; the figures had been forwarded to the Bureau of Labor Statistics and published quarterly in the Labor Review. The project was transferred to the bureau in midsummer, 1929. Feeling that labor-turnover data for "all industries" alone were not adequate, the bureau expanded the work to separate industries, and in January, 1930, began the publication of current data for automobiles, boots and shoes, cotton manufacturing, iron and steel, slaughtering and meat packing, and sawmills, and, in February, for foundries and machine shops.

4. Classification of the employment data of the Bureau of Labor Statistics for smaller geographical divisions selected on the basis of economic and industrial significance, especially city areas.

5. Fuller and more prompt reporting of employment and earnings data on the railroads to the Bureau of Labor Statistics by the Interstate Commerce Commission (which already collects these data in great detail), and closer cooperation between the Bureau of Labor Statistics and the Geological Survey in the collection of mining employment data.

6. Greater comparability of the employment data of the Bureau of Labor Statistics and the various State labor bureaus, Federal reserve banks, and the Census of Manufactures in such matters as industrial classification and the base period used in the construction of indexes.

This committee undertook in 1928 a survey of existing employment indexes with particular reference to methods of construction, choice of a base period, and the comparative significance of the chain-link and the fixed-base indexes. The results showed a trend in practice toward the adoption of the multiple-year base, and in general a closer correlation of the fixed-base indexes with trends shown by census compilations as compared with the correlation indicated by the link-relative numbers. At its annual meeting in December, 1928, the committee voted to accept the principle of a multiple-year base and that the period 1925–1927 should be adopted.

The Department of Labor of the State of New York is already using the base period 1925–1927 for all its indexes except those which show the differentiation of sex; the Industrial Commission of the State of Illinois, for all its indexes; and the Department of Labor and Industries of Massachusetts, for all its indexes except building employment (for which 1928 has been taken). The Bureau of Labor Statistics at present prefers the year 1926, since its indexes are already recomputed on that base; while the Federal Reserve System uses, wherever possible, the period 1923–1925 as a base, in accordance with an agreement made in 1926 with the Department of Commerce.

B. *Development of an index of public employment, including employment given directly by public authorities, Federal, State, and municipal, and employment on work done by contract.*

As a part of its project of developing statistics on public works, this committee, with the support of the Welfare Council of New York City, has begun work on a monthly index of employment afforded by the New York City government. The procedure for compiling the employment and pay-roll data on work afforded directly by the city government has already been well developed. As an experiment in this procedure, the posting on ledger cards and tabulating of the data for the some 2,000 pay rolls have been completed for two months. Totals of both numbers employed and amounts of pay roll have been computed for these months for the various departments and the entire city government.

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The procedure for the reporting of employment on city work let out to contractors (i. e., on such city projects as bridges, buildings and alterations, subways, etc.) has also been developed. A questionnaire for submission to the contracting firms has been formulated and the ledger card has been set up. No data, however, have yet been collected.

The welfare council is cooperating by undertaking to urge the adoption of this plan, and it is hoped that a regular system of reporting the employment and earnings of the employees on work of the New York City government will shortly be instituted.

C. *Development of a statistical procedure for public employment offices.*

At the request, made in 1929, of the International Association of Public Employment Services, this committee has undertaken a study of the statistics of public employment offices, with a view to the development of a statistical procedure that would commend itself to State bureaus of labor and to the United States Employment Service. In view of the meager statistical experience of employment offices in the United States, the study involves examination of the methods worked out after long experiment by the employment exchanges of the principal European countries. On this part of the work the executive secretary of this committee, Bryce M. Stewart, is now engaged in Europe.

D. *The collection of data on unemployment.*

The collection of comprehensive data on unemployment presents great difficulties. The United States is not in a position to secure material comparable with the data in those countries which have unemployment insurance. We must make current estimates of the numbers of unemployed from statistics of trends of employment—estimates which never can be satisfactory until the statistics of trends cover a larger number of industries than at present. Meanwhile, there are certain methods by which we can obtain data which have a direct bearing on unemployment.

a. Through censuses of unemployment in individual cities.

Such censuses were taken, for example, in April, 1929, in Philadelphia (with the cooperation of the University of Pennsylvania), in November, 1929, in Buffalo (with cooperation from the colleges), and in early 1928, 1929, and 1930 in Baltimore.

This committee recommends—

(1) The repetition of censuses of unemployment in various cities.

(2) The taking of censuses of unemployment in other cities especially in those in which the cooperation of the universities is possible. Such cooperation is well exemplified in the census in Buffalo in November, 1929. The work was accomplished through the combined efforts of the New York State Department of Labor, State Teachers College of Buffalo, University of Buffalo, Canisius College, and the Buffalo Foundation. The census was a sample study of 15,164 persons, and the students of the various colleges made the house-to-house canvass, for which they received course credit.

b. Through Federal censuses of unemployment, as in April, 1930.

This committee had worked with the Census Bureau, prior to the enumeration, in drawing up a set of questions which might be asked in the census. The schedule as finally adopted was not fully in conformity with our recommendations, but we nevertheless have welcomed it as the first promising attempt in this country to get figures on the extent of unemployment. The full recommendations of the committee (which may be used for State and municipal as well as Federal censuses) are published as part of its annual report in the Journal of the American Statistical Association for March, 1930,

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and would also be separately available by application to Dr. Eugene B. Patton, secretary of the committee, addressed at room 600, 130 East Twenty-second Street, New York City.

E. *The collection of basic data from the United States Census of Manufactures.*

So that there may be an adequate check on the sample used by the State and Federal bureaus in their collections of employment data, we recommend the collection and publication of comprehensive employment data by the United States Census of Manufactures, as follows:

(*a*) Continued collection and publication of monthly data on employment, classified by States and by industries.

Because of the bulk of the work on the present decennial census, the Bureau of the Census departed for 1927 from its practice of publishing in the Census of Manufactures monthly employment figures for all individual industries (although the inquiry had been made for every industry), and instead limited the monthly tabulation to 13 industries. These industries together accounted for over 3 per cent of the total number of establishments and about 20 per cent of the total number of wage earners reported in the census of 1925.

In the censuses for 1929 and 1931, the Director of the Census has informed this committe, the inquiry in regard to the number of wage earners employed on the 15th of each month or nearest representative day will be retained on the schedule and if practicable the monthly employment figures will be tabulated for all industries. In any event, after the close of the Fifteenth Census period the publication of the monthly employment figures will be resumed.

(*b*) Publication of average annual data on employment and earnings for cities of 25,000 and over.

(*c*) Collection and publication of monthly earnings by States and by industries.

The Bureau of the Census has advised this committee that the "amount of work already planned, in line with recommendations of the advisory committee, appointed by the Secretary of Commerce is so great as to render it impracticable to undertake anything further, and especially anything of an experimental character."

(*d*) Collection and publication of man-hours data.

This committee and other agencies have been urging the collection of such data, with the result that the Bureau of the Census agreed to gather data on man-hours for the year 1929, for the following industries: Blast furnaces; lumber and timber products (limited to establishments reporting products valued at $1,000,000 or more); machine tools; and petroleum refining.

The following resolution was unanimously adopted by the convention:

Resolved, 1. That the Association of Governmental Officials in Industry of the United States and Canada indorse the principle of collection and publication of employment and pay-roll figures by industries;

2. That in order to secure comparability of figures such collection and publication be on the same general lines as those now followed by the United States Bureau of Labor Statistics and by a number of the leading industrial States;

3. That in order to avoid duplication, all States collecting such reports cooperate with the United States Bureau of Labor Statistics on the same basis as now in effect between that bureau and the nine States now cooperating with the Federal bureau.

[Meeting adjourned.]

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WEDNESDAY, MAY 21—AFTERNOON SESSION

E. Leroy Sweetser, Commissioner Massachusetts Department of Labor and Industries, Presiding

UNIFORMITY IN LABOR LEGISLATION

Chairman Sweetser. We are interested in uniformity of labor laws, especially in a State like Massachusetts, not only because we want the best labor laws there are but because we want competition between States to be eliminated. The manufacturer in Massachusetts complains about lack of uniformity in that other States are in competition, but in spite of all that we are doing very well.

There is need of uniformity in those fundamental laws that affect us all. Conditions vary, and one State does one thing and one another; but we should have an 8-hour law for women and children, and laws that take care of safety and health of employees. Again, in connection with that, we must have the law of enforcement. We in Massachusetts do not think our laws are any better than any others but we do think that we enforce them, and I know that we do. We have the machine force and money to see that it is done.

One thing I think this association could do which would be of great advantage is to see that the department of labor in each State had a copy of every law. We have such a department in Massachusetts which we call a library and here is kept a copy of every law from every State. Recently one of the commissioners from Canada came in to see me and I took him into this library and showed him all the data from his own Province and he was very much pleased with it.

This system has also been of great value to us in getting appropriations and acts through the legislature. I think every State should have a copy of the laws of every other State and that it should also keep up with all changes therein.

We are fortunate in having for our next speaker, Mr. Leifur Magnusson, American Representative of the International Labor Office.

Some Problems and Methods of State Uniform Labor Legislation

By Leifer Magnusson, American Representative, International Labor Office

This paper goes back to an indiscreet letter which I wrote last September to the president of this association in which I raised the question whether there should not be a discussion on this year's program of the need for and method of obtaining greater uniformity in State labor legislation. At the time I said my suggestions were prompted by the labor difficulties brought to light in the South. I pointed out that capital moves more freely from one jurisdiction to another, and can take advantage of a labor differential that exists by reason of inadequate and unreasonable laws. I went on to observe

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that the solution suggested by the Governor of North Carolina runs in terms of uniform State action, though he made his suggestion applicable to only a few Southern States. On the other hand, I said, one has only to ask oneself the question: Why are all trade-unions national and all-embracing in their scope and activities, and why are employers' associations interstate and nation-wide?

In a somewhat different sense this paper is a continuation or sequel to one that I read at the Salt Lake City convention in 1925. There I described the functioning of the International Labor Office in terms of the American situation and Federal form of government, and showed the part which both employers and workers can play in a scheme of social fact finding and legislation.

A Mixed Scene

The problem of securing uniform labor legislation in the United States, it seems to me, does not consist in condemning wholly the evils of individual competitive enterprise; nor does it consist in merely pointing out the difficulties and intricacies of our Federal system of organization. These are facts we must reckon with, and then lay our plans to deal with them in the light of the exigencies of industrial peace and social justice.

(May I say as an aside that I presume that social justice is a desirable thing; that what the most progressive and enlightened State desires for its wage earners and producers is what every other State in the American federation should desire for its toiling masses?)

Any program of social legislation in the United States, unless it wishes to be completely pessimistic and revolutionary, must take account of existing political forms and institutions in relation to diverse local and sectional economic interests. One must recognize that in its economic and social diversity the United States is not a nation but a continent. Within that continental free-trade area there exist differences in geography, climate, and racial and industrial development almost as great as those between the independent sovereign nations of the world.

THE FOREGROUND.

In pushing the program of social legislation in the United States those interested have had recourse either to National or State action, according as the distribution of powers under the Constitution has determined. We have national legislation with respect to seamen and other workers in interstate and foreign commerce. We have proceeded either by constitutional amendment or by direct legislation. On the other hand, when the subject matter is within the competence of the State, the result has been State legislation which has been rather haphazard and certainly without any large degree of uniformity except what may come by imitation and the general drift of common ideas in such matters.

These two forms of approach—National and State—have in recent years been coordinated through the method of grant-in-aid. By this method Congress has declared a public policy with respect to a given social problem and has offered to aid the States in securing such ends, provided the States share the burden of administrative costs and by inference accept the legislative policy declared in the Federal act.

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For instance, two bills are now before Congress based on this method, namely, legislation for creating a coordinated system of employment exchanges and for the securing of pensions to the aged. This method has the merit of being constitutional; it permits of State or sectional acceptance of legislation according to its need and adaptability to a given State or area; it leaves administrative initiative and control in the locality, and thereby guards against too great centralization.

Two other methods of legislative approach have been suggested but have not as yet proved to be practical or in any way effective. These two methods are the State compact and reciprocal legislation. The State compact idea, or the making of agreements by a group of States for either regulating or promoting certain common interests, is an inherent part of the Constitution. It received some notice about four years ago when Prof. Felix Frankfurter, of Harvard University, suggested its applicability to the regulation of public utilities.[1] The method had, however, been pointed out as a possibility by Elihu Root in an address to a group of conservation governors in May, 1908.[2]

The method of reciprocal legislation by which legislation in one State is made conditional upon action of a similar character in another has been largely a theoretical proposal, made first, I believe, by Prof. Samuel McCune Lindsay, of Columbia University, before the Atlanta meeting of the National Child Labor Committee in 1908.[3] Professor Lindsay pointed out certain advantages of his proposal, and cited cases to show its constitutionality as a method of legislation. In a sense, Professor Lindsay's proposal was related to the earlier one of Mr. Root mentioned above, as well as to a discussion of the problem by Prof. Ernst Freund, of the University of Chicago, in 1909, who raised and answered, partly negatively, the question: Can the States cooperate for labor legislation?[4] Professor Lindsay concluded his remarks by saying that reciprocal legislation offers to private organizations "a new and promising instrument for educational and reformatory effort."

To sum up, the foreground of the American picture of social legislation consists of (1) a direct effort to secure national legislation; (2) enactment of State legislation; and (3) combination of State and national action through the grant in aid. Nor must we forget the overshadowing Supreme Court, which, like a sort of nemesis, secures a certain coordination and uniformity in State legislation by lopping off branches here and there. But the Supreme Court has been altogether a negative force, restraining rather than promoting legislation.

THE BACKGROUND.

Back of these rather unwieldy structures in the foreground of our social legislation effort lies an atmospheric landscape of many confused elements, high lights and low lights, protecting forests, bogs of social resistance, criss-crossing lines of communication, and confusion of effort.

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[1] Yale Law Review, New Haven, Conn., May, 1925: The State Compact, a Study in Interstate Adjustments, by Felix Frankfurter and James M. Landis.

[2] Elihu Root: Address before Conference of Governors, Washington, May, 1908.

[3] Political Science Quarterly, New York, September, 1910: Reciprocal Legislation, by Samuel McCune Lindsay.

[4] The Survey, New York, April, 1909: Can the States Cooperate for Labor Legislation? by Ernst Freund.

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While under our Federal system the chief method of social legislation has been State action, the form of organization taken by those who have sought to promote social legislation has always been national. This, of course, reflects the obvious fact that the interests of labor and industry are national rather than state-wide. And these, of course, are the two problems which we are trying to reconcile—political federalism and economic nationalism. However confused the background of American social effort, it is at least bound together by the cement of economic nationalism.

In order to make this background more concrete, an enumeration and brief description of the elements and institutions of which it is composed should be helpful and clarifying:

(1) The conference of commissioners of uniform laws, which was established in 1892. The commissioners, usually three from each State, are appointed by the governors of the different States. They meet in annual conference, draft and recommend measures to secure uniformity of legislative principle and method of administration, where such uniformity seems practicable and desirable. Special committees deal with special measures. The committee on labor legislation of this body has sponsored a uniform child labor law, which the latest records show has been enacted in only four States. An act for safety devices in industry has been sponsored, but no record of any acceptance appears to be available to date. Nor has any State adopted the standard bill for occupational diseases.

(2) The conference of governors, called together for the first time by President Roosevelt in 1909, once hailed as a valuable adjunct to our Federal system, has had no influence in promoting social legislation. It has never passed resolutions nor indicated points of view, and has been little more than a forum of discussion. It lacks effective administrative machinery to keep things going between the intervals of the conference. In the language of the street, it has not panned out as anticipated, although it did secure for President Roosevelt in 1908 a certain amount of publicity and influence for his conservation movement and child labor agitation.

(3) The American Legislators' Association, organized in 1925, while created to improve legislative standards, does not definitely promote uniformity, but may conceivably come to that some day.

(4) Associations of administrative State officials are bodies like our own and the International Association of Industrial Accident Boards and Commissions, and the International Association of Public Employment Services. All of these—over 50 of them [5]—grew

[5] American Association of Economic Entomologists; American Association of Instructors of the Blind; American Association of Port Authorities; American Association of Museums; American Association of State Highway Officials; American Association of Zoological Parks; American Institute of Park Executives; American Scenic and Historic Preservation Society; American Uniform Boiler Law Society; American Park Society; American Prison Association; American Legislators Association; Assembly of Civil Service Commissions; Association of American Dairy, Food, and Drug Officials; Association of Governmental Officials in Industry; Association of Land-Grant Colleges and Universities; Association of State Highway Officials of North America; Association of Official Agricultural Chemists; Conference of Art Commissions; Conference of Governors of the States of the Union; Conference of New England Governors; Conference of State and Provincial Health Authorities of North America; Conference of State Directors in charge of the local administration of the Maternity and Infancy Acts; Conference of State Sanitary Engineers; Conference of Weights and Measures in the United States; Eastern Conference of Motor-Vehicle Administrators; Federated Societies on Planning and Parks; Federation of State Medical Boards of United States; International Association of Dairy and Milk Inspectors; International Association of Game, Fish, and Conservation Commissioners; International Association of Industrial Accident Boards and Commissions; International Association of Public Employment Services; Joint New England Railroad Committee; National Associa-

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out of administrative needs, and attest vividly the appreciation of these officials of the necessity for common action.

(5) Private agencies seeking to promote social legislation and to introduce harmony into diverse State legislation occupy a prominent position in the background of the American picture of social legislation. These bodies again are too numerous to mention in a paper of this sort, but include among others the American Association for Labor Legislation, the American Association for Old Age Security, the National Consumers' League, the National Child Labor Committee, the American Bar Association, the American Federation of Labor and its State branches, the National Association of Manufacturers, the United States Chamber of Commerce, the farmers' organizations, and numerous other bodies dealing with specific types of State legislation like the National Conference on Highway Safety, the Prison Labor Association, and so forth and so on.

It will be observed that the first four bodies named—the conference of governors, the legislators' association, the administrative officials, and the commissioners of uniform laws—are either official, semiofficial, or spring from the ranks of officialdom. The last-named group consists of the private agencies which are seeking to bring pressure to bear upon State and national legislatures. Even the semiofficial groups do this, but in a somewhat less invidious manner. Merely to enumerate these elements working for social legislation in the United States is to show the chaos that has developed and that threatens to persist unless certain things are done and certain new developments started on their way.

The Dark Painted Canvas

With this picture of the American effort at labor legislation before us, why is our movement so dark or at least hazy, to put it more mildly? With all this machinery at work, why have we not secured a greater degree of uniformity and nationality in our social adjustments?

There are several reasons, it seems to me, for this darkness of the American picture of labor legislative progress. The original painter, so to speak, began with a dark canvas instead of one painted with the colors of the sun. I hinted at one reason for our difficulties when I indicated the continental character of the United States and the tremendous forces of sectional interest. Another reason is the inevitable character of our Federal system. Each State may legislate one year in harmony with the other, and the following year each legislature has a perfect right to change the law. A third factor also makes it practically impossible to maintain uniformity of legislation, even if we had obtained it—the doctrine of judi-

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tion of Attorneys General; National Association of Boards of Medical Examiners; National Association of Civil Service Commissions; National Association of Commissioners, Secretaries, and Departments of Agriculture; National Association of Comptrollers and Accounting Officers; National Association of Dental Examiners; National Association of State Directors of Vocational Education; National Association of Railroad and Utilities Commissioners; National Association of State Universities; National Association of State Auditors, Comptrollers, and Treasurers; National Association of Securities Commissioners; National Association of Supervisors of State Banks; National Committee on Inheritance Taxation; National Convention of Insurance Commissioners; National Conference on State Parks; National Council of Teachers' Retirement Systems; National Probation Association; National Tax Association; National University Extension Association; New England State Tax Officials Association; Pacific Coast Association of Port Authorities; Society of American Foresters.

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cial supremacy. This permits the courts of the various States to give varying interpretations to laws that were once uniform, until as a result of this judicial interpretation discrepancies develop in laws which were originally identical. It is, therefore, logically true that there is probably only one way we can maintain and secure an ultimate and continuous uniformity in our social legislation, namely, by making social legislation on a national scale, bringing it within the competence of Congress by constitutional amendment or interpretation, or by extending the method of the grant in aid to all the different forms of social legislation. This, at least, makes uniformity in legislative principle, coupled with diversity and local autonomy in administration.

Brighter Perspectives Ahead

Admitting all the dark and sinister spots in the picture, I still think we have not made the most of our situation. There are still loopholes in our voluntary efforts at bringing greater harmony into State labor legislation. What we need are some new methods of voluntary action to reinforce the governmental machinery and to strengthen the legislative processes which our Federal system makes possible—that is, national congressional action, sectional compact, and State law. It is our private and voluntary agencies, that I have enumerated above, which lack councils of hope and institutional coordination. It is to improve matters along these lines that my suggestions lie.

First, do we not need a national council of the agencies interested in social legislation? By that I mean not merely a conference of such agencies for discussion and elaboration of opinions, but a true administrative council such as have been created in localities to handle the chaos of community charity services. Would it not be helpful to have a national council made up of representatives from the American Association of Labor Legislation, the American Association for Old Age Security, the American Federation of Labor, the National Association of Manufacturers, the United States Chamber of Commerce, etc., in order to introduce a coherence and some unity of principle and strategy?

Second, do we not need the heading up in Washington, or, shall I say, guidance from Washington, by some one of the governmental departments to bring together in conference and in council those forces which are interested in labor legislation? We have had the beginning of such efforts as, for example, the conference on the 8-hour day in the paper-making industry of several years ago, the industrial safety conference, and the numerous conferences of a related character summoned and convened by the departments of this and past administrations. My suggestion, here, is little more than an extension to social legislation and the labor field of the practices already developed in trade and industry, the trade practice conferences, the conference on the standardization of material and simplification of practices, conferences on public questions like street safety, etc.

Third, should there not be brought into the picture those two underlying groups in the community which have the most interest at stake in any movement for social legislation, namely, the employers

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and the workers? It has been declared good form to promote the organization of agriculture and agricultural cooperation. How about some promotion of the interests of wage earners and attention to the problems of unemployment, accidents, ill health and old age, night work, weekly rest, and leisure? Here is a wide field for conference and associated effort that is in line with industrial development and the larger social claims of the community as a whole. There are several points at which workers and employers could be brought into the situation. There is a place for them, it seems to me, among the commissioners of uniform State laws, helping to make more practical the laws proposed. Already workers have been introduced into the various conferences called by the Department of Commerce, but, usually it seems to me, in much too few a number in relation to the whole. Several private groups interested in labor legislation do introduce both workers and employers, but in a rather haphazard and incomplete manner, while the possibilities of the labor-consultative conference under the Federal Department of Labor appear to me to be many—embracing, as they well might, every aspect of industrial relations in American industry.

Fourth, and as a climax to the suggested development of labor conferences under the auspices of a Washington department or departments, might there not come a larger and more general conference representing the three forces in the different States most interested in social action, namely, the public at large, the employers, and the workers? Would it not prove enlightening to convene a conference of delegates from each State representing the governor of the State, the State federation of labor in that State, and the State industrial council of the National Association of Manufacturers or other employer group, some type of which exists in each State in the Union? We already have one or more of the departments at Washington which could serve as the permanent coordinating agency of such a conference, which could provide it with a program to work upon, which could conduct the necessary underlying research and could issue the acts or results of the conference either in the form of findings of fact respecting the social or industrial situation or in the form of a model law, if a law is deemed necessary for dealing with the problem. We need not take at once the step of formulating the findings of the conference in the shape of law, but can readily confine the activities to fact finding and recommendations of desirable policies short of the compulsion of law.

You will, of course, have noted a similarity between this institution I am suggesting and the international labor organization, as I described it to you some five years ago at Salt Lake City. But the international labor organization was a much newer and daring institution to establish on an international scale in 1919 than the organizing of such a group is for this country in 1930. There were few if any precedents for the international labor organization in 1919; there was no existing permanent agency around which to coordinate it. Both these difficulties are already taken care of in the American situation. We have as precedents the commission forms of labor administration in the different States, based upon the tripartite representation idea. We have had a great deal of experience with a Federal commission form of government, such as the Inter-

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state Commerce Commission, the Federal Trade Commission, the Federal Reserve Board, and the two farm boards, loan and marketing. In the second place, we have the permanent administrative body to serve as a nucleus for preserving the continuity and efficient functioning of such a nation-wide continuous conference. The Department of Labor has had a continuity of experience and leadership since the days of Colonel Wright in 1886. Nor should I fail to mention the value of the experience and technical knowledge of such a group as your own, and the administrative part it can play and the technical advice with which it can assist such a Federal or State conference of governments, employers, and workers.

Such a conference method of handling our social problems, it seems to me, is suited to the nature of our Federal machinery and does not violate any of its current practices. It has the further advantage of bridging the gap between our political and economic institutions which as the power and prestige of industry increase are in danger of drifting further and further apart, leading to an ultimate breakdown of one or the other. Such a tripartite conference preserves the initiative and individualism of American life as it is truly democratic in its make-up and voluntary in its action and functioning. It would be a genuine form of "self-government in industry" in which both sides would find representation and a chance to work out the inevitable compromises that must be made as between employer and worker and the community welfare in any legislation that is to prove effective and enduring.

Need for Uniformity in Labor Industrial Relations Laws and Administration

By Newton Bright, Commissioner Kentucky Department of Agriculture, Labor, and Statistics

[Read by John W. Rogers, deputy labor inspector, Louisville, Ky.]

Article 2 of the constitution of the Association of Governmental Officials in Industry of the United States and Canada defines, in part, the object of the organization in these words:

> To encourage the cooperation of all branches of the Federal, State, and Provincial Governments who are charged with the administration of laws and regulations for the protection of women and children and the safety and welfare of all workers in industry; to maintain and promote the best possible standards of law enforcement and administration method.

It is with these central tenets of your organization in mind that I present for your approval suggestions for the adjustment of some of the difficulties that prevent a full realization of the projects set forth in the constitution.

The problems that confront the modern State or Provincial department of labor are diversified and complex and involve in some degree problems not only of local significance but of interstate and even national scope. Goods manufactured in one State where certain labor welfare laws prevail are shipped out and sold in other States where the laws are different, perhaps less liberal or more stringent. Such inequalities breed conflict. Such a condition gives the employer operating under obsolete or inadequate laws an un-

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earned advantage over his colleagues whose factories are located in a State where enlightened labor welfare laws prevail.

A modern State labor department usually contains several branches. There is sometimes a kind of industrial police system composed of factory inspectors whose constant surveillance is necessary to prevent infractions of the laws or safety codes. There are other departments concerned with the investigations of the violation or nonobservance of the women's and children's laws; statistical bureaus and other branches of labor welfare which may include an industrial rehabilitation service, a workmen's compensation board, or other groups of similar function.

A great diversity exists in the scope, power, authority, latitude of interpretation, and other relevant matters in the State labor or industrial departments charged with the supervision and enforcement of these laws. The diversity of terminology itself is confusing and the separation of the departments in the several States, departments which are consolidated under one unit in some places, adds to the chaos.

Twenty-eight of our States have two or more agencies or bureaus that concern themselves with the administration of the labor laws, and some States have many more.

The methods of administration are almost as varied as the number of labor welfare groups. In six States there is a commission which divides the authority among the members, sometimes composed of a committee of experts, sometimes of representatives of employers and employees, or in other ways. Such an organization assumes all of the governmental functions, since it exercises executive power and through its promulgation of codes and regulations, which have the effect of statute law in some States, a quasi legislative power. In States where the board has the power to hear cases of offenders against the commission's rules, it also has a quasi judicial power.

In eight other States there has been a tendency to centralize the administrative power and in these States the authority has been vested in one responsible head, the commissioner or director.

The commission form of administration for labor welfare groups began with the workmen's compensation boards. Thirty of our States have commissions administering the workmen's compensation laws and functioning, in most States, independently of the other organizations concerned with the workers. That brings us to a main issue in the organization of labor departments.

The operation of a compensation board as an independent unit of the labor welfare group presents an anomaly. A compensation board is or should be a component part of the labor welfare groups and should coordinate its work with the factory inspection department, the vocational rehabilitation board, and all other agencies that exist for the purpose of collecting industrial statistics or other data. Operating independently, it produces an overlapping of functions, with resultant friction, duplicated work, and increased expense of administration of the law.

Variation in the legislative provisions of the compensation laws is most marked. The New York compensation law may be considered as an example of the liberal law, when it is compared with the chief provisions of other State laws.

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Factors to be considered in the liberality of a compensation law are scope, that is, the employments that the law covers; the inclusion of industrial accidents and occupational diseases; the liberality or scale of benefits, as well as the means or methods of securing claims.

There is a distinct difference in the provisions of compensation laws in the various States. For instance, New York is one of the 32 States which includes hazardous as well as nonhazardous occupations. Some States include workers engaged in domestic service and agriculture; other States exclude them. The number of employees of the excluded small employer varies from 3 in Kentucky to 15 in other States. The waiting period before compensation begins also shows a wide diversity—one to three weeks in some States, none in Oregon and in South Dakota.

In Kentucky the workmen's compensation board is one of the independent labor welfare groups. The members of this board are responsible to the governor, since they are appointed by the chief executive of the State. Their duties include the receiving and filing of records of industrial accidents, medical certificates, statements of compensation, agreements reached between employers and employees and receipts of compensation paid; visiting of industrial districts; approving agreements reached, and hearing and deciding claims not reached by agreement.

This department is also charged, jointly with the insurance commissioner, with the regulation of rates charged by carriers and the approval of all policies issued by the carriers to the employers of the State.

The vocational rehabilitation board is the second group in the labor welfare set-up in Kentucky. Its purpose is to provide for "the promotion of vocational rehabilitation of persons disabled in industry or otherwise and to return them to civil employment."

This department is so closely related to the problems of administration of the labor welfare groups that it logically belongs to that province rather than to the department of education under which it is now functioning.

The labor welfare groups now operating in Kentucky will conveniently symbolize the haphazard method of administering these laws. In addition to the compensation board and the rehabilitation board, there is a labor department (a unit of the bureau of agriculture, labor, and statistics), whose duties are prescribed by law as visiting by inspectors of places of employment for the purpose of investigating the conditions affecting the life, health, and safety of workers and the administration of all laws of the State regulating the employment of labor and the collection of statistics pertaining thereto.

That seems broad enough to give the department of labor almost infinite scope. In practice, however, the department is hampered by the narrowness and ambiguity of the law. A force of four deputies, two men and two women, is provided for the inspection and enforcement of all the labor laws throughout the State, which leaves scant time for the collection of statistics "pertaining thereto," or for anything else.

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There is, however, one notable feature of the law for the establishment of the labor department—the clause that provides that appointments are made to the staff only through competitive examination. The labor department is the only State department in Kentucky which is run under a quasi civil service system for the examination of candidates for positions.

Another welfare group that operates in the State of Kentucky is the department of mines. The chief mine inspector and his deputies are appointees of the governor and are directly responsible to him. The purpose of this department as set forth in the law is "safeguarding of workers in the coal-mining industry and the publication of statistics pertaining thereto" which seems to be the duty of the heads of all Kentucky labor welfare groups.

This department, too, is restricted by the narrowness of the provisions of the law. Granted that coal mining is the most important and extensive mining industry in Kentucky, is that a reason why workers in other fields of mineral extraction should be ignored and deprived of their right to have a safe place to work and to have that place of employment certified as safe by an unbiased government service?

A department of mines should not be restricted to coal mining but should include other varieties of mineral extraction, such as quarrying, mining of asphalt or of fluorspar, or any other method of mineral extraction that involves the use of explosives or other dangerous practices. The inspection of mineral-extracting industries other than coal mining is now under the supervision of the labor department.

The point that all this is leading up to is this: A new slant on social welfare administration, the realization that the administration of labor laws is no longer a matter of local patriotism but a matter of national concern. Much usage has blunted the effectiveness of the old maxim " A chain is as strong as its weakest link," but it does not alter or affect its validity.

Consolidation of the scattered State units, that now operate in slipshod fashion with overlapping duties and that are so heavily swathed in red tape and beaurocratic methods, is a compelling necessity. In the first place, State departments should be reorganized, and the declaration is made with the knowledge that such reorganization should begin in Kentucky. All the labor welfare organizations of the State should be welded into a central department to include industrial safety, sanitation and hygiene, compensation and vocational rehabilitation, as well as the operation of a public employment service. Industrial statistics should be handled by a central agency instead of by several more or less unrelated bureaus all working for an undetermined end.

As for the executive control of such an organization, that is perhaps more a matter of local concern. Here in Kentucky where individualism is rampant, it is felt that to place the executive power, as well as a sort of judicial and legislative power, in the hands of one man—a commissioner—would smack of tyranny. Such arbitrary assumption of power is not relished in Kentucky, although it seems to be well adapted to the needs of the situation elsewhere. It seems, then, that the most feasible method in this State would be the forma-

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tion of an administrative board with three to five members in which both the employers and the employees would be represented.

There now exists among the legislators of this country a strong sentiment for the centralization of labor welfare groups. The factors that inspire this sentiment are obvious—increased efficiency, economy of operation, and the fixing of responsibility.

It is fairly obvious that before there can be any harmonious coordination of State laws that will lead to uniformity in State legislative provisions there must first be an internal harmony and the formulation of a definite sentiment for uniformity among the States and Provinces.

One hundred and fifty years of industrialism have evolved a high type of industrial standards which should be definitely determined, codified, and enforced so that the public welfare will not be threatened by disputes and conflicts. The right of all men to have a safe place to work and the protection of women and children in industry should be extended to all workers of every State, not merely to an isolated few.

When the preliminary spade work of unifying the State departments has been accomplished, the relationships between the State and Provincial departments will be put on a more practical basis for the maturing of the plan for uniformity in the State laws.

The members of this association are the executive heads of labor departments and industrial commissions. Such administrators and public officers are coming to consider it a part of their duty to recommend and secure improved legislation to bolster up and reinforce the weak points in the laws they are enforcing and to raise their standards to the best practice that has been evolved by their colleagues and other experts in the field.

If your neighboring States have obsolete social welfare laws, your own industries will be forced to compete with employers who have gained unwarranted advantage because of legislation that is an anachronism in an enlightened era. If your neighbors' laws are negligent in any phase it may mean that some of your industries will move to another State which affords a minimum of protection to its wage earners. That means the loss of business in your State and the loss of taxable property.

An example of this sort of migration of industry is illustrated by the reported conversation of a manufacturer who moved his factory to Kentucky when he learned that the State labor laws in Kentucky were less well adapted to the modern industrial world than those of progressive Wisconsin. Probably Wisconsin was glad to get rid of such an employer. Certainly Kentucky does not consider an employer who comes here to exploit our citizenry, because our laws are lax enough to permit it, a shining star in our crown.

Such inequalities and lack of coordinated effort, as well as the variation in the State labor laws, breeds conflict and instability. A strong central motive should run through the laws, based on the same fundamental principles expressed in your constitution and with the same ultimate objective—"The administration of laws and regulations for the protection of women and children, and the safety and welfare of all workers in industry."

In this slow process of building up a staunch structure, founded on sound principles of social science, the keystone arch should be

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uniformity of law, the centralization—in the State—of all the branches of the labor welfare groups, and the formation of an agency for interchange of ideas—a central clearing house of information.

There is now in action a body of experts that exerts a potent influence in the struggle for the unification of State laws. This is the National Conference of Commissioners on Uniformity of State Laws, an organization of the American Bar Association. A committee of this organization is charged with the duty of drafting and approving uniform social welfare laws. This body sponsored and promoted the uniform child labor law which was adopted by Kentucky in 1912.

This organization is composed entirely of lawyers, two from each State in the Union, and representatives from our Territorial possessions.

The Conference of Commissioners on Uniform State Laws is always interested in other organizations that have a similar purpose. Such an affiliation would add vigor to the struggle for unification, a project that is daily becoming more significant to the discerning.

The proposal to unify labor welfare laws into a workable standard for all the States will be met with opposition from certain quarters. A false cry of protest will arise from those who mask their ulterior motives under the guise of superindividualism. It will be pointed out that the liberalizing of social welfare acts in the backward States will drive out industry. It hasn't driven industry out of Wisconsin, New York, and Ohio or the other States where liberal social welfare acts are now in effect. It shouldn't do it elsewhere. The unscrupulous employer would have to conform or suffer the consequences.

Such criticism is captious and unconvincing. It is unfair to force an enlightened employer to cope with a cutthroat competitor whose product can be made more cheaply because he exploits his employees.

If adequate compensation laws are good in Manitoba, they are good in Missouri. If a machine guard in Portland, Me., keeps a workman from mutilating his fingers in that city, a similar machine equipped with a similar guard should be just as effective in saving an operator from a mangled hand in Portland, Oreg., or Medicine Hat, Alberta.

What benefits would accrue from the uniformity of labor welfare laws and the reciprocal relations of the various groups in the States and their agreement on uniform legislation?

It would lighten the already heavy burden of the taxpayer and equalize the competitive struggle among manufacturers who are now operating under varying laws. It would reduce the overlapping of the various bureaus now enforcing the law and result in a codified set of laws that would be fair to everyone concerned—the employer, employee, and the general public. It would assure justice and reasonable and safe standards of working conditions; and it would bring to industry reliable and accurate data on industrial problems of employment and production, as well as other important information. It would insure a practical, safe, efficient, and just enforcement of labor welfare laws in all the States and Provinces.

One might begin to wonder, at this point, why such a Utopian state of affairs which seems so logical and natural has not yet been put in practice.

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Social investigators speak of "social lag," that is, the tendency of institutions and laws to lose their usefulness long before they are replaced; of the sluggish progress in the conformity of laws and institutions to public opinion and common custom. That may be one reason, but there is perhaps a more vital one. Perhaps it all simmers down to a problem in human adjustments. Dreams that men cherish are so far away in a millennial fog that they seem impossible of realization for a long, long time.

The men and women who control the destinies of the industrial welfare groups form the spearhead in the program for uniform industrial laws. They can advance or retard the project.

That leaves the problem up to you. What are you going to do about it?

DISCUSSION

Mr. Stewart. I was rather surprised to hear General Sweetser say what he did regarding the matter of each State not having a copy of the laws of every other State, when as a matter of fact, for a great many years, the Bureau of Labor Statistics has published the labor laws of every State, and has supplemented that each year with the labor legislation passed at each session, including special sessions. If you will refer to Bulletin No. 370 you can get the labor legislation of every State and Territory up to the time that bulletin was issued in 1925. Every year we publish supplements thereto which contain the acts of the State legislatures concerning labor. In these various bulletins we have all the labor laws down to 1928 and the bulletin now in the Government Printing Office contains the labor legislation of 1929.

There is no excuse, on the part of any State enacting a labor law, for not knowing the legislation of other States on that particular law. It is all in print and costs nothing.

In regard to uniformity in labor legislation, well, of course that is something that we just feel we are up against. When Mr. Magnusson talks about uniform legislation he is talking with the background of European experience behind him. He has been in the United States long enough to know that Germany can pass a law, and it affects Germany, but the United States may pass a law, and it refers to the territories of Hawaii and Alaska, and to the District of Columbia. It has no effect on the legislature of any of the 48 States. In other words, it is not worth while to talk about our problems in relation to what foreign countries are doing.

If there is a solution, probably the best thing to do would be to have the Labor Department call a conference of the States for uniform State law and see just how many States would be represented.

Mrs. Summers (New Jersey). We worked very hard to bring about uniformity between the four States of New Jersey, Delaware, Maryland, and Pennsylvania, but our efforts were hopeless. When we got together we found that Pennsylvania's problem was not New Jersey's problem. Delaware's problems were different from those of Maryland, and so on. We talked for hours and hours. This committee is going to meet again this week.

We do not have very much trouble with offenders of the 10-hour law; if they violate the law we call them in and warn them that if

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they do not abide by the law, if this thing happens again, they will be prosecuted, and nine times out of ten they cooperate with us. Frequently they come to us and tell us that their work or their kind of business demands that they work more than the regular hours, and if we do not permit them to do so they will move to a State that does. In that case we tell them to go; that if they can not abide by our laws we do not want them. If we made an exception in one case we would have to do it in another.

In regard to the child labor law: The New Jersey law had been interpreted by an attorney general, prior to my coming into the department, to apply only to the children of citizens of the State. Then, too, the question of local school facilities was a considerable part of the problem, in that the counties into which the majority of the children migrated were farming counties where the proper and sufficient education of their own children was a problem, they having no facilities to take care of and finance annually some 1,900 children from Pennsylvania. The attitude, prior to this time, of our commissioner of education was one of disinterestedness and unwillingness to consider the problem as any of his concern.

Another circumstance which worked against the solution was the fact that children in agriculture are exempt from the provisions of the New Jersey child labor law, the same as they are exempt from the provisions of the laws of many other States. And, as is the case sometimes in other States, even if the law could be applied, the two months of July and August when there is no school in session—leaving absolutely no control of any kind during that period—would still be a problem from the child labor law standpoint. The fact that farmers and those sympathetic to farmers constitute the majority members of our legislature made it quite impossible to do anything without the cooperation of all concerned. Hence we called together on several occasions the bog owners, the truck farmers, and the representatives of the State departments of education, health, labor, and agriculture. At first the bog owners were very suspicious, fearful, and quite unwilling to go along with any program tending toward a solution. The director of the bureau finally threatened to make a public statement in which she would make clear that an attempt had been made to get cooperation from those concerned but had failed. She then would make an attempt to secure legislation without any assistance from them, such legislation necessarily being of a nature which would not consider their needs or desires. This attitude on the part of the director rather frightened the representatives at one of the meetings and when she offered a resolution asking the governor to appoint a survey commission they very reluctantly voted to have such a commission selected, representatives on this committee to be from each of the four State departments named above.

Apparently, after the report of the bog owners' representatives came back, the action which they had taken did not meet with the approval of the larger group and without informing the director of the bureau of their change of mind they sent to the legislature a letter in which they stated they were not in sympathy with the resolution due to the fact that it called for an expenditure of $5,000, and that the department of agriculture was willing to conduct the

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survey without any additional cost. The director of the bureau, who had had two years' experience as a member of the New Jersey Legislature appropriations committee, issued a statement to the press in which she drew attention to the fact that this was an underhand action and not worthy of the citizens of New Jersey, and also pointed out that her experience on the appropriations committee had shown her very clearly that the department of agriculture constantly asked for special appropriations for special purposes and was in no better position than the department of labor to undertake work of this kind without necessary funds. The department of agriculture substantiated this statement and the result was that a legislator, who had been long opposed to legislation of any kind as regards migratory children, offered his support of the measure, spoke for it on the floor of the house, and materially assisted in its passage.

This legislator also pointed out to the bog owners that they were making a mistake in further fighting the project, as the director of the bureau had shown a willingness to consider their side of the case and they in turn should be willing to cooperate.

The result is that at present the bog owners and all concerned are working together quite harmoniously and as soon as the director returns to New Jersey, field workers will begin the compilation of necessary data for a complete survey of this most vexing problem.

Mr. Stewart. There is the same problem in cranberry picking that exists in another industry on the Pacific coast. There they herd all the people they can get from Mexico to Oregon in the fruit-picking season, beginning with strawberries and ending with apples. These States have tried to get together for a number of years but so far have gotten nowhere. Wisconsin has the same problem as Maryland in the vegetable-canning season. I think that perhaps the situation is least acute in Wisconsin, but on the Pacific coast it is exceedingly grave. It would seem that these four States could get together and organize some system whereby they could standardize not only living conditions for the parent, but education for the child, a schoolhouse on wheels so that the child can get some sort of an education. I have been trying to look into this thing for some time but haven't been able to do it—haven't been keeping tab on it.

I want to help but I do not know what to do. Picking cranberries in Jersey isn't any different from picking other kinds of berries in Pennsylvania, or canning in Maryland as far as that is concerned. There is only one way to solve this thing and that is to work together and agree.

[Mr. Stewart asked Mrs. Summers if they had thought about the schoolhouse on wheels.]

Mrs. Summers. We are taking this matter before the commission.

Mr. Stewart. Must the child have a school certificate before being permitted to work in agriculture?

Mrs. Summers. No. New Jersey has no control over children in agriculture.

Mr. Gernon (New York). No child coming into New York may work without having such a certificate.

[Meeting adjourned.]

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THURSDAY, MAY 22—MORNING SESSION

Eugene B. Patton, Director Bureau of Statistics and Information, Department of Labor, New York, Presiding

FACTORY INSPECTION, SAFETY, AND SANITATION

Inspection of Industrial Establishments

By JAMES L. GERNON, Director Bureau of Inspection, Department of Labor, New York

The inspection of industrial establishments is important in order to enforce the requirements of the numerous labor laws or code rules applicable to the various industrial establishments in the State.

As to the best method of inspection, much depends on the type of statutes enacted, the volume of law and code rules existing, the number of establishments to which the law and code rules are applicable, and the size of the inspection force in comparison to the type and number of industrial establishments to be covered.

We have in all States legislators who are willing to enact labor laws and code rules of high standard, but they will not provide an adequate inspection force to apply them properly. This is one way of making good laws and codes ineffective. Although we are a nation of reasonably law-abiding people we have not reached that state of perfection where our laws enforce themselves. Regardless of how high a standard the labor laws and code rules have attained, they are of little value in securing results unless they are properly enforced, which means a just application of their requirements. This is most essential. Nothing is so disastrous to proper enforcement as to have an owner of an industrial establishment feel that the law is applied to his establishment and not to a competing or neighboring establishment. The employees soon observe whether the laws are enforced or complied with, and are ready to complain when they are not enforced. Nothing so fosters disrespect for government as the failure properly to apply its laws. Therefore, it is most important that the application of the labor laws and code rules should reach all of the industries of the State with reasonable application but strict enforcement.

The method of inspection and enforcement followed in New York State has existed for a number of years. It has proved very satisfactory in securing results. It is not all that it should be—it can be improved when the legislature will provide an adequate force to cover the various types of establishments as frequently as necessary. We hold that one regular inspection a year is not sufficient enforcement. The inspections should be as frequent as the plants' records of industrial injuries would necessitate and their failure to observe the law would justify.

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The system of inspection and enforcement in New York State produces the maximum of enforcement, and secures speedy compliance with the orders issued, thereby affording a high standard of protection to the health and safety of the employees of the numerous industries in the State.

The inspection and enforcement problem is difficult. You may realize this from the following table, showing the number of different types of industries inspected during the report year 1929:

NUMBER OF INSPECTIONS IN NEW YORK STATE, 1929

Places inspected	Number of—	
	Inspections	Employees
Factories	67,299	1,436,754
Mercantile establishments	76,328	406,326
Buildings under construction	40,499	251,861
Mines, tunnels, quarries, and magazines	1,711	10,340
Boiler inspections	4,260	
Places of public assembly	791	
Total	190,888	2,105,281

In addition to this large number of inspections, we made buildings surveys of 48,686 industrial structures over one story high; 83,926 special inspections; 86,661 information calls; and 99,433 compliance visits—a total of 270,020 visits in addition to the regular inspections.

To this number of industrial establishments there are many laws and code rules which are applicable. The labor law comprises 18 articles, consisting of 245 separate sections of the statutes. These provisions of the law are amplified by 30 industrial code bulletins, including the State standard building code, and these codes consist of 1,082 separate rules.

A regular inspection means a visit to the industrial establishment to which the law applies and a thorough covering of the premises, and the making of a survey of the building or buildings where necessary. This survey includes a floor plan of the building which indicates the exits or means of escape, stairways, horizontal exits, outside stairs, elevators, hoistways, and other provisions covered by the law and code rule relative to fireproof construction, fire-alarm signal systems, and fire drills, and, in addition to the survey of the building, a report giving complete details of the condition of the building as to its compliance with the law. All violations of the law relative to safety, health, and sanitation are noted on the building-inspection report, and an inspection report for each tenant in the building is made.

Where violations are found orders are issued to the employer operating the premises, or the owner of the building, to correct the conditions to which the orders relate. A time for compliance is fixed on the notice of orders issued. If compliance is not secured with the orders issued on the first compliance visit, which visit is not made until the expiration of the time fixed in the original notice of orders, the inspector on the first compliance visit must see some person in authority and fix the time for compliance. This is the only occasion on which the inspector has any authority in fixing the

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time for compliance. If on the date designated for compliance by the inspector on his first compliance visit the order is not complied with, the order must be referred to the supervising inspector, who may refer the matter to what is known as the departmental calendar (which is used only in the larger cities), or he sends a counsel letter fixing a final date for compliance. This letter indicates that if the order is not complied with on the stated date, the violation will be presented to the court.

The departmental calendar is used as a means of assisting the courts and for reducing the number of cases for violations of hours of labor of females and minors, illegal employment of children, and the day-of-rest violations that might be sent to court, and the securing of speedy acquiescence with orders issued. In addition to orders not complied with, only first violations of illegal employment of children and the day-of-rest law are put on this calendar. In these cases the law is explained, and the violator is warned that another violation will mean a prosecution. Summonses are mailed to the persons who have failed to comply with the law, to appear at a hearing. At the hearing they are required to explain why they failed to observe the law. If it is an order issued by the department, a time is fixed for compliance, and if not complied with on the date fixed the case is sent to court. The number of firms that comply between the time the summons is served and the date of hearing is remarkably large. Most of the other orders are complied with by the date fixed, thus reducing the number sent to court. During the year 1929 there were 10,198 summonses issued to violators of the law to appear and explain why they failed to observe the requirements of the law.

Securing Compliance with the Law and Orders

It is obvious that in order to cover this vast amount of work it is necessary to use the block system. This block system extends throughout the entire State. The block may be a number of city blocks grouped together, or a village or town in a rural district of the State. The inspector is assigned to what is known as an inspection district. In this territory he is responsible for correcting violations of the law and code rules. These districts are divided into blocks, which are assigned to the inspector by the supervising inspector as the inspector completes each block when making regular inspections; this means that the inspector follows a regular itinerary except when making a special inspection or an investigation of a complaint, or when he is covering his district relative to violations of day-of-rest provisions or to illegal hours of labor of females or minors. When the inspector has completed this special class of work he returns to the block assigned him to complete the regular inspection work. In this way we know at all times just what portion of the work has been covered and what remains to be done.

The inspector must inspect and report on all places recorded, for the block assigned. With the block records furnished, the inspector is given an index card for each firm found within the block in the previous inspection year. Corresponding with this index card the supervising inspector has a history card. On both cards is recorded the record of important orders issued, violations of hours found,

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prosecution begun, or variations granted by the industrial board. These records cover a number of years. The inspector also has a copy of the survey of the building, and if there are any changes in the building he must make a new survey showing the conditions at the time of inspection.

By the use of these cards an inspector who has never visited the plant before has in his possession important knowledge regarding the plant he is inspecting. All places found vacant at the time of the regular inspection are reached in the latter part of the report year, and if occupied, they are inspected. In this way we have a rather complete coverage of all industrial establishments.

The inspector is held responsible for applying the provisions of the labor law and code rules, and the issuance of such orders as will correct any violation found. He reports each day the field he has covered, furnishing a daily record of each place he visits in the order of the visits. He is required to complete the record of each inspection on the premises. The purpose of this is to enable him to obtain correct information as to the conditions. If he has missed anything in his report he can obtain the information while on the premises, and therefore does not have to guess at it, because his report is required to be correct. The orders he issues are subject to examination. When filed in the office, experienced examiners scrutinize the reports and check them to see that all orders are issued in accordance with the records shown on the report, that the orders are legal under the law and code rules, and that they are issued legally to the owner, agent, or lessee of a building, or to the owner of an industrial establishment as may be provided for in the law or code rules.

The original order is sent to the firm or to the persons responsible for compliance; of the four typewritten copies made, one copy goes to the inspector for reporting compliance, and the others are office records. The orders specifiy the number of days from date or issuance when compliance is required. The inspector may not visit the premises on compliance work until the expiration of the time fixed for compliance in the notice of order. On his first compliance visit, if an order is complied with, he so states over his signature on a special form, as well as on his regular compliance sheet. This special form is sent immediately to the office, and when all the orders are complied with the regular compliance sheet is submitted to the supervising inspector. If the order is not complied with, he must see a person in authority and explain what is required, and the inspector then fixes a date in the near future for compliance. Orders issued can be disposed of only by compliance, by waiver if conditions change and make the order unnecessary, or by variation by the industrial board, which variation must meet the spirit of the law.

The effectiveness of this system of securing compliances may be realized when it is known that during the year 1929 we issued 306,781 orders and secured 298,090 compliances, completing the year with but 8,691 of the orders not complied with. During the year the inspection force was on special work for three weeks relative to checking up employers failing to provide compensation for employees, which work of necessity had to be taken out of the time

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that would have been devoted to compliance work. If it had not been for this interruption of compliance work, the record of compliances would have been even better than is shown in these figures.

Safety Equipment

It will be noted that the greatest amount of inspection work is in connection with factories, mercantile establishments, and buildings under construction (this at least is true as far as New York State is concerned). It is in these three branches of inspection work that we issue the greatest number of orders, and naturally secure the largest number of compliances with orders. The largest amount of machinery exists in the factories. Considerable machinery is used in the present-day mercantile establishments, and there is an ever-increasing amount of machinery operating in connection with building and subway construction work.

In all of the work performed by the inspection bureau, where orders are issued and compliances are secured we have obtained very satisfactory results. In no instance is there a better showing than in the compliances secured as to orders for guarding machinery in all branches of industry. These orders are considered important by the bureau because the machines are hazardous to the employees, and if the orders are not immediately complied with, may result in industrial injury.

In all branches of our work during the year 1929 we issued 96,039 accident-prevention orders and secured 92,249 compliances with these orders. All of the orders in this group were not machinery orders, but all the machinery orders were included in this group.

In New York State we have been successful in reducing injuries due to mechanical apparatus. The proportion of compensation paid for injuries due to mechanical apparatus has decreased from 25 per cent in the earlier years before 1923 to 15 per cent in 1929. This is the only class of injury showing a reduction during that time, while injuries due to falls show a marked increase. We believe the policy of the department relative to machinery hazard is largely responsible for this reduction. This policy is making an impression on industrial managements in our State.

Please note that this reduction in injuries due to mechanical apparatus was accomplished during a period when the use of power-driven machinery had increased as never before in the history of industry.

We have the right under the labor law to tag as unsafe a machine that is hazardous and not properly guarded. Consequently, we have two means of securing compliances when the orders issued are not readily complied with by the person or firm to whom they were issued. We can tag the machine as unsafe and stop its operation, or we can prosecute for failure to comply with all the orders issued, or we can do both. We do not tag machines without first serving a notice of our intention to do so.

In comparison with the orders issued and the compliances secured relative to orders for mechanical apparatus, the number of instances where we have to tag machines or prosecute is small, but we do send a large number of tagging notices. We tagged dangerous machinery

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in 126 instances, and we prosecuted in 369 cases for failure to comply with orders for accident prevention. All of this number of prosecutions was not for machinery, for this group covered the full range of accident prevention, including orders for handrails on stairways, etc. Where we use the " unsafe " tag on machinery, it means the loss of use of the machine, for we stop its operation. This furnishes the urge for speedy compliance on the part of the owner or company who operates the machinery. This tag is a time saver for the bureau, because when the notice is served the firm usually complies, and where we attach a tag we readily get compliance. This saves time in prosecuting, because each prosecution consumes considerable time of an inspector before a case is disposed of in court.

Because of the policy followed by the inspection bureau we have made an impression upon those responsible for the operation of industrial establishments, who realize that the issuance of our orders means a compliance on their part or summary action by the inspection bureau.

It should be understood that in comparison with all other equipment in industrial establishments, the number of machines in industry far outnumber all other types of equipment. It would be quite natural to suppose that machinery was the most potent factor in causing injuries, but such is not the case as far as New York State is concerned, and it is very significant that the best results were obtained where the hazards were most serious.

There has been inaugurated a system which places each establishment in an industrial group and the recording of the accidents in each establishment, so we will have a complete history of injuries occurring in each separate establishment in the industry.

In view of all the orders we issued and the number of compliances secured in 1929, the number of instances where we were compelled to prosecute for failure to comply with orders issued was comparatively small. They were as follows: Administration, 39; sanitation, 507; accident prevention, 369; fire prevention, 393; total, 1,308.

We prosecuted during the year 6,073 cases for violations, but only 1,308 were for failure to comply with orders issued. The other 4.765 prosecutions were for the following violations: Child labor, 1,124; hours of labor of women and minors, 3,227; day of rest, 411; payment of wages, 3.

Education in Safe Practices

One of the chief activities of the inspection force is the educational work it performs: First, by furnishing knowledge of the labor law and its requirements to the industrial establishment; second, by acquainting the employer with what is to be done to correct conditions, how to comply in a legal way with the orders issued, and how to obtain a substantial compliance at the least possible expense; and, third, by instructing employers and employees as to the necessity for safe practices in industry as to providing proper safeguards to prevent industrial injuries on hazardous machines, and the preventing of injuries from other hazardous conditions, such as defective floors, stairways, etc., impressing upon the employee the necessity of using safeguards when provided, and the

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teaching of safe practices where all of the hazards can not be eliminated by the installation of safeguards.

There are those who believe that education in safety is more effective than plant inspection. Both education and inspection have their proper places in industry. If a choice is to be made, inspection, with the authority of the State exerting power enough to foster respect for the orders issued, is the most effective. The experience of the New York Department of Labor proves this to be so. We secure a greater measure of compliance with orders because of the State's power to compel respect for its authority than could be done by any means of education yet conceived.

The employers of our State are the same as in any other State. They are no better and no worse. We have those that rank with the best in doing all they can for the protection of employees. Safety education is a potent factor for getting good results where such education is absorbed and practiced, and in this connection it should be remembered that we are not dealing alone with a few well-conducted plants, but with many thousands of places where the owners may know how to make a certain product, and outside of this, either know nothing of safe practices or safeguarding machinery, or care nothing for either. Some employers believe that when they have paid a premium covering them from liability for compensation, they have done all that is necessary. They care little for what may happen to the employee.

As we find conditions, educational work imparted by the State inspectors and other agencies is not always observed either by the employer or employee; at least this is true to a very large degree. It is conceded that education is good for those who are capable or willing to learn the best methods to make their industries as safe and free from industrial injuries as possible. Most of the employers cooperate with the inspection bureau in bringing their establishments into compliance with the law and thus protect their employees as far as it is humanly possible. Many go beyond the requirements of the law in their efforts to protect employees. They cooperate with the bureau of inspection because they know it is good business and pays profits. Some comply with the law and its requirements because it is the law, some reluctantly and others willingly.

There is another class of employers who refuse to be educated until they learn that there is a possibility of going to court for punishment. There is still another class that does nothing until taken to court. This last class is small in comparison with the number that do comply with the law or the orders issued, but as a class they are persistent, and going to court seems to have little deterrent effect.

The work of a State inspection bureau includes as much educational as law-enforcement work. The inspection bureau is the only agency with authority that can reach all industrial establishments in the State to instruct employers as to the requirements of the State for protection of the lives, health, and safety of all persons employed.

In the year 1929 there were 100,462 compensated accidents in New York State. The chief causes were as follows:

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COMPENSATED ACCIDENTS IN NEW YORK STATE, 1929

Cause	Number of cases	Compensation paid	Average cost per case
Handling objects and tools	36,101	$6,865,248	$190
Falls of workers	19,197	7,894,178	411
Mechanical apparatus	15,402	6,754,845	439
Vehicles	8,908	4,537,585	509
Falling objects	6,258	2,113,989	338
Dangerous and harmful substances	5,442	2,066,070	380
Stepping on and striking objects	4,718	609,955	129
Others or indefinite	4,436	1,280,945	289
Total	100,462	32,122,815	320

Mechanical apparatus stands third on this list in the number of injuries. Injuries from falls are greater in number, and the cost of compensation paid because of falls is in excess of that paid in compensation for injuries caused by mechanical apparatus. The average cost of compensated injuries caused by vehicles is highest—$509. Mechanical apparatus is second, at an average cost of $439. When we consider the total cost, $32,122,815, paid for compensation for industrial injuries in New York State, and realize the total cost in the entire country, there is no question that the reduction of industrial injuries represents a field for real constructive work in an endeavor to reduce the frequency of injuries, the compensation cost, the frightful suffering, and the economic loss resulting therefrom. Compensation paid for industrial injury does not represent the total cost. Competent authorities, after analyzing all the losses due to industrial injuries, figure the whole cost to be four times the cost of compensation paid.

The inspection bureau of a department of labor has many duties, chiefly that of applying the requirements of the labor law and the code rules which have been adopted to protect employees. The proper enforcement of these laws and rules has a most beneficent effect in reducing industrial injuries to a minimum. These bureaus alone can not do all there is to be done. Industry must do its share. It is evident that we can not succeed in reducing the frightful loss of life and human suffering which occur in industry as a whole without the cooperation of the employers and employees.

The causes of injuries in industry are relatively the same in each State. Examination of these causes indicates that most of them are not due to mechanical apparatus. The major portion of them are in a field where it is not possible to prevent the injury by the use of safeguards. The greatest part of the improvement to be made there must be through proper instruction as to the hazard of the industry and the teaching of the right technique of performing the work.

As industry is conducted to-day, speed in operation is an important factor in producing injuries. The speed necessary to keep pace with mass production requires greater alertness on the part of operators. This necessitates the proper coordination of workers in the tasks performed; consequently, there is necessity for careful instruction as to the technique of the particular operation.

The old-time term "common labor" has no place in modern industry to-day. No labor worthy of the name should be so desig-

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nated. What industry as a whole must learn is that skill is necessary to-day in even the most ordinary class of work.

With high-speed production there is greater need of thorough training for operators of all kinds and of more attention to the working conditions resulting in injuries such as handling objects and tools, falling objects, falls of persons caused by improper floors, stairs, etc., and slipping on or striking objects.

There will be need for more educational work by industry to instruct employees as to the safe and efficient manner of carrying on their work than there is at present. Numerous agencies may assist in this work, but much effective work can and should be done by the industries themselves.

When we do what is outlined here, we will make a reduction in the industrial injuries that are preventable.

Methods of Factory Inspection

By Thomas C. Devine, Chief Division of Factory Inspection, Department of Industrial Relations, Ohio

To know and understand the operations of the division of factory and building inspection in the State of Ohio it is important that we become acquainted with its family, so permit me to introduce the folks of this peace-time army of 600, comprising the department of industrial relations, with Wm. T. Blake as director.

Divisions of the Department of Industrial Relations

Industrial commission.
Division of workmen's compensation.
Division of factory and building inspection.
Division of labor statistics and employment offices.
Division of safety and hygiene.
Division of mines and mining.
Division of boiler inspection.
Division of examiners of steam engineers.

Departments in the Division of Workmen's Compensation

Claims department.
Auditing department.
Actuarial department.
Medical department.

The department of industrial relations is a veritable "beehive" humming with the activities of stenographers and clerks and investigators and referees of the industrial commission. The majority of the divisions are located in the Pure Oil Building, occupying four floors and basement, with a capacious hearing room on the first floor which is the busiest court in Ohio.

If we should examine the records of the claims department we would find that 1,000 claims per month are handled, eliminating Sundays and holidays, or an average of 38 claims per day.

Each of the divisions of the department of industrial relations operates in its respective field, with which you are familiar.

Now let me introduce another of the family, the division of safety and hygiene. The function of this division is educational and directive, and, through its office personnel, inspectors, and safety engi-

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neers, it conducts a campaign of safety and accident prevention through posters and pamphlets, organizes factory safety groups, and through its staff delivers safety talks to civic bodies and compiles codes after public hearings thereon. For this purpose a separate fund is set aside from the workmen's compensation fund in an amount not to exceed 1 per cent per annum; the remainder is kept in the industrial insurance fund.

These groups are mentioned here so that you may understand the set-up of the department of industrial relations of Ohio, and the corresponding relation they bear to the enforcement of all laws governing factory and building inspection, and all other laws pertaining to labor—defensive, protective, and compensatory.

The division of factory and building inspection is composed of practical men and women engaged in the routine of inspection and enforcement of the labor laws of one of our greatest industrial States. It has no fund except the annual budget appropriated from the State treasury.

In 1874, Ohio had the first factory inspector who, after his appointment, had neither office nor equipment, and, to prevent the annoyance of his constantly seeking space, provision was made for the incumbent, Mr. Dorn, to have desk room at the State capitol. To-day we have one entire floor in the Arcade Building at Columbus, Ohio, with five spacious office rooms and an office personnel of 12, as follows: Chief of division, assistant chief (architect), second assistant chief (draftsman), one safety engineer, one special supervisor of inspectors, two emergency men, and five stenographers. An assistant secretary and one stenographer are connected with the State board of building standards, of which the chief of the division of factory and building inspection is ex officio secretary. Add to these the 31 male inspectors and 12 woman visitors operating in their respective districts and we see some progress made since 1874. The board of building standards is composed of seven members appointed by the governor and approved by the legislature. They are selected from the different sections of the State, receive no salary, and meet once every month. Their duty is to establish "standards of equivalency" for building operations and material, and they are selected because of their knowledge of such.

This set-up or background is important because it gives impetus, strength, and effectiveness to our efforts toward enforcement of the laws governing factory and building inspection in the State of Ohio.

Time is pressing, so let me summarize the foregoing by stating that the beneficial result of this departmental relationship is the interlocking and reciprocal action, and leads up to the two greatest assets ever given to inspection and enforcement work—viz., workmen's compensation and additional award.

Assuming you understand workmen's compensation, though its operation does present various methods, I believe Ohio is still peculiar in that it supplements compensation by allowing an additional award where a violation of a "specific requirement" can be shown.

Now let us proceed with these weapons to our task of inspection. Previously an employer felt that he could run his business to suit himself because, as he stated, he had always done so. The employee, too, felt that he knew best how to perform his work and resented

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regulations, suggestions, safe practices, or safety devices. Employer and employee were reluctant to accept innovations, either directory or compulsory, from a division inspector and resented as meddlesome any agency that advised or ordered changes or improvements, regardless of the costly lessons learned through experience.

Piecework prompted the employee to remove a guard or safety device and increase of production turned the employer's head. Progress was gradual in the installation of safety devices and safe practices and advisory regulations were ignored until official orders were placed or legal prosecutions resorted to.

A great change has come about since the adoption of the workmen's compensation laws and added impetus has been given by the penalty imposed through the additional award, of which my time will permit but a brief explanation.

Ohio has a total of 24 codes, 11 of which are classified as "specific requirements," meaning as the words imply that the requirements for safety are specific and not general and, therefore, can not be either evaded or avoided, hence wherever it can be shown that a "specific requirement" has not been met it is prima facie evidence of neglect, and an additional award of not less than 15 per cent and not more than 50 per cent of any compensation allowed for an injury is granted the injured.

The following codes are enforced by the division of factory and building inspection:

Administration; theaters and assembly halls; schools; standard devices; churches; hospitals and homes; hotels and apartments; public garages; workshops, factories, mercantile and office buildings.

Codes of specific requirements.—Elevators; building and construction work; general safety standards; fire drills in factories and lofts; foundries and core rooms; woodworking machinery; metal-working machinery; polishing and grinding; blowers and exhausters; steel mills; potteries.

Other laws.—Compulsory education, child and female labor laws; laws governing factory and building inspection; eight-hour public work laws; mattress laws.

Specific methods of factory inspection.—Each district inspector of the division of factory and building inspection, assigned to a district for inspection of shops, factories, and public buildings, is required to inspect the sanitary conditions, system of sewerage, situation and condition of toilets, system of heating, lighting and ventilating of rooms where persons are employed, and means of egress. He is also required to examine belting, shafting, gearing, elevators, fly wheels, and machinery in and about such shops and factories. For the purpose of an inspection or examination each inspector may enter a shop or factory at any reasonable hour. If alterations or additions are found necessary or safety appliances should be installed, the district inspector mails his order blank incorporating his recommendations to the office, and the owner or employee is given a written order to be complied with within a certain time.

Safe practices.—Workmen are compelled to use, and the employer is held responsible for the use of, safety devices and equipment such as gloves, boots, aprons, and goggles, such equipment to be practical and not burdensome.

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Safety regulations.—Regulations and practices are taught and enforced as to the proper handling of tools, clearance of aisles of all material, and under the heading of "good housekeeping" workers are taught that negligence in the placing and handling of tools, spilling of oils or water on floors, etc., is not only dangerous to themselves but to their fellow workers, and that a careless or negligent worker is as dangerous in a factory as a careless soldier or hunter is to his comrades when carrying a cocked gun or insisting upon "rocking the boat."

Compliance—How to secure.—Experience has taught us that compliance is the paramount problem of the inspector and that until recently many inspectors considered a large number of inspections a sufficient criterion of efficiency. We have learned to classify the inspector who fails to culminate his reports with compliance as similar to the salesman who presents and interests the buyer, but fails to get the buyer's signature on the "dotted line"; this is futile and wasted energy, as the goods are neither sold nor delivered. Likewise, then, the inspector who, having inspected and placed an order, fails to obtain compliance, has failed in his mission because, figuratively, the goods have neither been sold nor delivered. We, therefore, have inserted at the bottom of every order the time in which it must be complied with and signature of the employer accompanying his statement—Order No. —— has been complied with. A check up is made by the inspector and the compliance verified. Where compliance does not follow, affidavits are filed and prosecution follows. This, however, we are seldom compelled to resort to as, once more permit me to remind you, we find our most potent weapon in the penalty of an additional award which, once cognizant thereof, the employer makes every effort to avoid.

Methods of Factory Inspection

By M. F. NICHOLSON, Chief Inspector Division of Factory Inspection, Department of Labor, Tennessee

The department of labor consists of five divisions, namely: Workmen's compensation division, factory inspection division, mining division, hotel inspection division, and fire prevention division. Each division has a chief inspector who supervises the work of his inspectors and office force. The commissioner of labor has supervision over all divisions. His department has a secretary and two stenographers. There are 46 employees in all in the department of labor which has branch offices in Knoxville, Chattanooga, and Memphis.

The factory inspection division enforces the following labor laws: Female labor laws, child labor laws, laws providing for separate toilets for females and seats for females, semimonthly pay day law, sweatshop law, workshop and factory inspection laws, fire escape law, employment agency law, foundry bath law, workmen's compensation law, and mattress law.

As I understand, the above laws were drawn up, sponsored, and enacted by organized labor and its friends, but these laws are for the protection of unorganized workers as well as organized workers.

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The writer makes joint inspections with his deputy inspectors at different times in the year in their respective territory. The results from these inspections are a great help to the employees as well as to the employers. The writer visits each inspector three or four times a year and makes it a point to visit all new plants and furnish them the necessary information concerning the State labor laws.

Different subjects are discussed, such as the guarding of machinery, ventilation, sanitation, accidents and how they occur, fire prevention, protection of the health of the employees, female labor laws, and child labor laws. By this method we acquaint the employers with the State laws and get their cooperation at the start and then there is no excuse for any violation of the State labor laws.

This division has made it a practice to write the plant owners in regard to the recommendations of the inspectors, where the inspector is not receiving the right cooperation. We find that this method has resulted in obtaining compliance with orders. This division has not had to prosecute any plant owner for not complying with orders to guard machinery, as they find it is to their interest to give protection to their employees, for it is a financial saving to them. Our inspectors sell safety to the manufacturer by giving him the benefit of the dear experience of the other manufacturer, explaining to him how numbers of accidents occur throughout the State. We have heard the superintendent or foreman say when we call his attention to certain machinery that should be guarded that he has never had an accident on this machine. Our inspectors are armed with information and can call his attention to different accidents that have occurred on similar machines and by doing so we sell him safety, and the orders of our inspectors are complied with.

All serious and fatal accidents are investigated by the inspectors of this department. Whenever an accident is reported to the compensation division, the factory inspection division is furnished with a synopsis of the report and on receiving the synopsis this division sends a letter with the report to the inspector in whose territory the accident occurred. If it is in his home city, the investigation is made immediately; if it is out of the city he makes the investigation when he makes his inspections in that part of his district. By this method we get the information as to how accidents occurred, whether it was on account of machinery unguarded, whether it was due to the carelessness of the employee or was caused by incorrect supervision. Our inspectors make the necessary recommendations to prevent future accidents. The want of correct supervision has caused many accidents.

Guarding machinery is one of the most important subjects in the factory inspection division, and the inspectors are doing good work along this line.

An improved guard, such as an electric automatic stop which we find is a practical guard, is now being attached to machinery. This kind of a guard can be attached only to motor-driven machinery. We find now that most all the machinery being built is directly motor driven, which does away with the belt hazard. The factory inspectors of this division are all practical mechanics and have made a study of their inspection work. They are able to show you how to

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build and erect a safeguard on any kind of machinery. They are also able to discuss with you the repairing and maintaining of machinery.

"Supervision" means a great help in safety. Many accidents occur every year on account of poor supervision by the owners of industry.

The factory inspection division has the cooperation of practically every manufacturer and the different establishments throughout the State as well as the cooperation of the members and officers of organized labor.

During the year 1929 the factory inspection division made 2,162 general inspections; issued 3,155 inspector's orders; made 759 special reports on ventilation, sanitation, fire escapes, and employment agency law, mattress law, and investigation of accidents; made 528 female labor inspections, including hours of work, separate toilets, and seats for females; 513 child labor inspections. Orders complied with for the year 1929 numbered 2,191. The number of employees in the different plants and establishments at time of inspection was 183,479; males under 16 in industry, 154; and females, 265.

Laws relating to female labor.—The female labor laws have been given special attention by this division. We have a special inspector, a woman with considerable experience in factories and workshops who is well able to discuss with the employer the different female labor laws and child labor laws and what is needed for the protection of the health of his employees. She travels from one end of the State to the other making investigation as to the hours worked, seats for female employees, sanitary conditions in rest rooms, and other matters pertaining to female labor. We have had only a few violations of the law in the manufacturing plants; but we have had several in laundries and ready-to-wear stores, which have been prosecuted. There are quite a number of industries, department stores, and other establishments locating in this State and the majority of their employees are females. We find the territory is too large for one woman inspector and the law should be amended to add another special inspector, as investigations as well as inspections have to be made.

The number of females working in establishments and industries inspected by this department in 1929 was 46,785.

Child labor laws.—The child labor law is another law enforced by the factory inspection division. We find that the number of children employed in industry is very small. The number of children working in industry at time of inspection in 1929 was 154 males and 265 females. The factories that now employ children between the ages of 14 and 16 are located in the small towns or rural districts.

We have very little trouble with the manufacturer now in enforcing the child labor laws. We had only a few violations in the past year, the majority of these coming from the drug store, curb service, grocery stores, and sandwich stands. However, they are given special attention by our inspectors.

The child labor laws should be amended so as to prohibit any minor under the age of 18 from working as a messenger or in the

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distribution of merchandise after 7 p. m. We find this nowadays a very hazardous occupation.

The number of employment certificates issued by the city superintendent of schools was 2,427; employment certificates issued by the county superintendents of schools, 1,122; child labor reports, 513.

Elevators.—City elevator inspectors and a boiler inspection law are needed in the larger cities of this State. We have a boiler inspector and elevator inspector in Memphis and Nashville, but Chattanooga, Knoxville, and Jackson have no inspection service of this kind. The inspection offices are maintained on a fee basis and are no expense to the city.

A State elevator inspection law is another law that should be enacted. The elevator is a very dangerous machine and we have noticed several fatal accidents occurring on this machinery in the past two years. A State law would take care of this in rural districts.

Boilers and tanks.—The boiler inspector inspects all boilers and air tanks, including their equipment, inside the corporate limits, whether in a manufacturing plant or any other kind of establishment. These are very dangerous if they are not taken care of and kept in good condition. Chattanooga, Jackson, Knoxville, and Johnson City have no boiler inspection code. If the larger cities like Memphis and Nashville would enact a city code it would be a forward step in protection of life and property. In addition to this city boiler inspection law, a State boiler inspection law should be enacted to provide inspection of boilers and air tanks throughout the State. By having this law the boilers and tanks would be inspected where they are not inspected by insurance inspectors. This law should cover all boilers and air tanks throughout the State.

Fire escapes.—The fire escape law should be amended, so as to make it a misdemeanor if a person fails to erect a fire escape on any kind of establishment or industry according to the regulations set out in the fire escape law.

Blue prints and specifications.—There is badly needed in this State a law requiring any person firm, or corporation remodeling or erecting any building to be used as a workshop, factory, department store, or any kind of establishment where labor is employed to get a permit from the Department of Labor and to submit all blue prints and specifications for the approval of the Department of Labor.

DISCUSSION

Chairman Patton. You will recall the excellent paper on "Factory inspection as a profession," given by Mrs. Van Buskirk at the Toronto meeting last year, and the interesting discussion which followed. Mr. Gernon has indicated in his paper that the inspector should exercise two distinct functions, educational and punitive, or as Mrs. Van Buskirk expressed it last year, that of teacher and policeman.

We need not, I think, quarrel over the matter. It would seem self-evident that there must be what lawyers term a "sanction" for the proper enforcement of any statute. By this is meant that there must be power to enforce orders. Such power should not, of course,

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be paraded, but there are times when only the use of legal force will be effective.

As pointed out by Mr. Gernon and Mr. Devine, the largest field for accident-prevention work lies in the field where educational work alone can be effective. Training of the workers in safe practices and right working habits is now the major task, a duty incumbent both upon the inspector and the employer. In other words, while the policeman idea can not be ignored, the teacher concept should have greater prominence.

Mr. BALLANTYNE (Ontario). While all phases of labor legislation are important, in my opinion there is no phase as important as factory inspection. The lives of our workers are important. Just as our chairman brings out, it is up to us to apprehend the danger before it occurs; don't wait until the accident happens. Of course a great deal depends on the inspector as to whether his way of doing things is the correct way.

Most accidents occur because of ignorance on the part of the worker, and we can only reduce accidents of this kind by education. We must educate the worker as well as the employer as to the value of prevention and care.

Mr. ROACH. The cardinal points of the program of safety may be considered as housekeeping, engineering, and safety education.

Clean, orderly plant premises have great safety value. Big business has learned this in the school of practical experience for accidents have proved that slovenly kept floors, dirty side walls, and littered workbenches are menaces to physical safety that must be corrected before substantial progress can be made in the work of educating the individual to think and act safely. Cluttered aisle spaces are bad in case of fire. They prevent free maneuvering in workrooms and interfere with the movement of men and materials. Many accidents can be charged to bad housekeeping. Recently in a foundry a pile of flasks was improperly arranged, the pile toppled, and a workman was buried underneath. A fatality resulted.

Handling-material accidents.—In our last report falling objects and tools being handled caused 5 fatal accidents and 3,800 nonfatal. Nearly a million lost days resulted, and the cost in money was reported to be $162,000. Of course, it is idle to talk about the money loss; that can not be computed; the amount tabulated was the amount actually paid in compensation awards.

Engineering.—I am not going to give engineering an inferior position in this discussion. Without competent safety engineering serious accidents are bound to occur. It is all very well to talk about safety education, but open elevator shafts will take their toll in spite of every academic warning. Unguarded gears, pulleys, or belts will continue to cause havoc even though safety slogans are printed on pay envelopes. When machine accidents occur they are usually of a serious nature and when they result from unguarded hazards the responsibility is easily placed.

Safety education.—Manifestly every effort in accident-prevention work will be neutralized if workmen fail to cooperate. That is why safety education is so important in industry. It has been estimated that 75, perhaps 85, per cent of all accidents result from carelessness,

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thoughtlessness, or negligence on the part of the worker. If these calculations are true (the percentages quoted are said to be more or less empirical) it can easily be seen that the promotion of safety education in a plant is a matter of major importance. It is thought that this work can be done best by holding foremen's meetings, safety committee meetings, and plant safety meetings, at which times reports and addresses on the safety program be given. In many instances motion pictures have been found valuable in impressing workmen with a sense of personal responsibility.

Housekeeping, engineering, and safety education therefore are the three legs on the safety stool that provide a firm, secure seat. The factory inspection department that can put over a program that will give careful attention to these cardinal points will do a great work in the accident-prevention field. To do this, however, requires salesmanship, engineering ability, and knowledge of human nature. That makes the task one of stupendous proportions. Management must be " sold " on the idea first. The supervisory group, such as foremen and safety committees, will naturally fall into line. The work, then, of selling safety will depend upon the ability of management and supervision to get the cooperation of workmen.

Mr. McColl (Minnesota). I believe it was at the Toronto meeting that Mr. De Blois spoke of a law that prohibited manufacturers from sending a machine into a State without its first being equipped with a safety guard.

Laws relating to industrial-accident prevention in Minnesota have been improved from time to time, but the outstanding forward step was taken by the legislature in 1913, when it passed a law prohibiting the manufacture or sale within the State of any machine or mechanism not guarded whenever practicable for the maker to guard the points of danger. The passage of this law had the support of both the employers' and manufacturers' associations. However, on account of inadequate funds, little effort was made to enforce the law until the spring of 1926, when the industrial commission instructed its division of accident prevention to take steps to enforce it.

Notice of the enforcement of the law was given to manufacturers of machines within the State and to local representatives of manufacturers outside the State who sold machinery within the State. Inspectors of the division of accident prevention examined machines made or offered for sale within the State, indicated faulty construction, and made suggestions for proper guarding. This resulted in numerous conferences between manufacturers and representatives of the commission, each resulting in a more satisfactory understanding.

In order to keep a close check on manufacturers and sales agencies, clearance cards are issued by the commission, and no manufacturer in Minnesota or outside the State is permitted to sell machines within the State without first obtaining a clearance card for each kind of machine made or offered for sale. One inspector has been placed in charge of this work. It is his duty to examine machines, make suggestions as to necessary guarding, and report to the division of accident prevention. Catalogues, circulars, and advertisements of machines for which there is no sales agent within the State are examined, faulty construction or failure to guard dangerous places

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are noted, and notice is sent to the manufacturer of the guarding necessary before the machines may be sold in the State. The regular inspection force makes notes of new machines brought into the State.

A card index of every manufacturer or sales agent of machines is kept in the department. These cards show the machines approved for sale, recommendations made for making machines safe, and those rejected until made safe for use.

The commission has had unstinted support of users of machines in its efforts to enforce the law, which, in turn, has had salutary effect on manufacturers of machines in inducing compliance with the commission's orders.

Doubtless the benefit of this law has extended to other States; for it naturally follows that manufacturers required to render their machines safe for sale in Minnesota will apply the same forms or safety devices on machines offered for sale in other States.

Numerous requests for information concerning this law and its operation have come from other States and some even from foreign countries.

Doctor PATTON. At the Toronto convention of the A. G. O. I., held in 1929, Doctor Andrews, of the American Association for Labor Legislation, discussed briefly the subject, Suggestive Trends in Workmen's Compensation. At that time he brought out for comment and discussion four points: (1) How compensation law administrators might finance their work without depending upon appeals for appropriation from the legislature; (2) how to impose effective penalties for violation of labor laws; (3) the use of administrative orders having the force of labor laws; (4) the advisability of continuity of administrative office holding. At that convention there was not sufficient time for discussion, criticisms, and suggestions in regard to points raised by Doctor Andrews. He has, therefore, been invited to attend this meeting of the association to elaborate on questions raised at that time, and to discuss the general subject, Public Interest in Labor-Law Administration.

Public Interest In Labor-Law Administration

By JOHN B. ANDREWS, Secretary American Association for Labor Legislation

I recently received a letter from a prominent State commissioner of labor inquiring: "How can we develop public interest in labor-law administration?" This administrative official declared: "It is fairly easy to organize public support for a legislative program but it appears to be most difficult to get the public interested in the administration of labor laws."

After 22 years of rather intensive work in support of legislative programs in this field, I might not be inclined to agree that that is especially "easy," but I do believe that the public can be led into interested support of labor-law administration and by somewhat the same methods as commonly employed in successful legislative campaigns.

Naturally, during the past 20 years much emphasis has been concentrated upon getting labor laws enacted in this country, but it is

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also true that during this same period we have made our greatest advances in labor-law administration.

At the Richmond convention of your organization, in 1923, I traced the development of labor legislation and administration up to that time, pointing out that the year 1911 marked the beginning of a new era. It was in 1911 that we adopted in this country our first permanent State workmen's compensation laws and it was during that same year that we established our first modern State industrial commission with authority to combine legislative action through administrative regulations with the more common administrative functions.

During the period since 1911 there has been a very considerable growth of the idea that labor legislation is for the general welfare, "protecting not only wage earners, but also conscientious employers and the community as a whole." Although the legal regulations are primarily for the protection of labor they at the same time, through their uniform application in establishing minimum standards, also protect the forward-looking employers from undercutting by their less scrupulous competitors. The public is relieved to a considerable extent of charity burdens and also gains in good will from a sense of justice done. With this enlightened approach to the problem of labor laws effectively enforced, the public can be still further educated to a proper appreciation of its interest and to increasing cooperation in giving support to law administration.

Let me illustrate from our experience of some years ago with workmen's compensation law administration in New Jersey. By 1914 that pioneer State law had been in effect three years and the Association for Labor Legislation made an intensive investigation of the actual operation of the law. It was one of the comparatively few compensation acts which did not provide a special administrative commission but relied upon court administration. The conditions uncovered by a state-wide survey so shocked New Jersey officials and representative citizens who had been especially interested in securing the enactment of compensation legislation at Trenton that the next session of the legislature was led to abandon court administration and to build up special provision in the department of labor. At the same time a number of other weaknesses in the New Jersey law were strengthened in accordance with recommendations of the association's national committee on social insurance.

Another instance is still nearer the special field in which your organization is particularly interested. Recently, in a survey of methods of industrial inspection carried on by special investigators under my direction, we called attention in one State to the need of (1) more inspectors, (2) higher salaries, and (3) more money for general administration expenses. The legislature in that State was then in session and it increased the number of inspectors 25 per cent, raised salaries somewhat, and also increased the general appropriations for the State labor department. This kind of a response should be the result wherever the need is made clear with inescapable facts. Cooperation of influential citizens can be secured for the purpose of improving labor-law administration.

One year ago, at your Toronto convention, in fewer than 2,000 words, I attempted in response to your courteous invitation to outline

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in a tentative way what are some of the major public issues in labor-law administration. My talk was published in your proceedings and in perfected form was published as an article in the American Labor Legislation Review for December, 1929. There was no time for discussion of my paper at Toronto and I understand that on that account one hour is set aside for that purpose at this convention in Louisville.

Without going too much into detail I will say briefly that I put adequate financing first as a major public issue in labor-law administration. Al Smith, at a dinner in New York the other night, told us that, just as public health within reasonable limits is purchasable, so also is the enforcement of labor laws. He said: "Laws of economics work in the enforcement of the labor code as in everything else. You get the number of factory inspectors, clerks, and necessary officials that you pay for. You don't get any more. And you have to be constantly on the alert to see that you don't get any less."

Last year I enumerated various methods successfully used in some States and Provinces in getting funds for labor-law administration without going to the legislature, and at the close of my article on the subject I invited reports from the various State labor departments on the practices which they had followed most successfully. During the 12 months that have intervened, Doctor Witte, of Wisconsin, has drawn up and published a valuable report on revenues received by labor departments.[1] Miss Elizabeth Johnson has also prepared for us an illuminating report on "Expenditures in Labor-Law Administration,"[2] in which she concludes that the total amount expended for labor-law administration in 48 States in the year 1927 was approximately $9,280,000. This, she points out, is less than $1.50 per wage earner in the factories and mines of this country. About two-thirds of the total was expended in administration of the industrial inspection and workmen's compensation laws.

The two reports just mentioned are good steps made during the past year in assembling information which can be used in educating the public to a better appreciation of the importance of labor-law administration.

One year ago I also raised the question as to what inducements or penalties serve best to bring about compliance. By way of illustration mention was made of the extra compensation payable on account of injuries to minors while illegally employed. This is said by one authority to be the most effective device ever invented for the enforcement of child labor laws. I have also been interested in learning of the experience of some States, notably New York, in holding "department hearings" where offending employers without being haled into court are less formally told of their shortcomings and urged to be law abiding, but always with the understanding that a further offense may lead to prompt and vigorous prosecution. Is this device to be generally recommended?

As a third point I suggested the importance of a fuller use of administrative orders, by means of which there may be introduced into the labor law greater elasticity to meet special conditions and at the

[1] U. S. Bureau of Labor Statistics Monthly Labor Review, April, 1930: Revenue Receipts of State Labor Departments, by Edwin E. Witte.
[2] American Labor Legislation Review, June, 1930.

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same time provide the necessary technical detail to fit modern industrial conditions. My intensive study of this phase of legislation and administration has led me to sound a warning that the future success of this exceedingly valuable development calls for appropriate procedure carefully followed in the development of such administrative orders. Here is a situation where the public is clearly entitled to a hearing and where public interest may be developed. More attention needs to be given also to the making of a proper record of these legal regulations, in order that not only employers and wage earners generally but interested citizens may know what is the law.

In conclusion I raised the question "What methods and machinery work best in building up and maintaining an efficient administrative staff?" Is it not possible that this is the most important question for study in the immediate future?

What is the best experience of the various State labor departments in dealing with these outstanding problems? I believe these points ought to be discussed openly by those who are charged with the responsibility of enforcing our labor laws. By such discussion and exchange of opinion and experience there may be developed that effective public interest in labor-law enforcement which an officer of your association wrote me is so much needed. It is a public interest which can be further developed and maintained through the cooperation of State labor departments with organizations of interested citizens who desire to be helpful in bringing about an administration of the labor laws which will protect our millions of wage-earning men, women, and children, our right-minded employers who will thus be encouraged to take further advance steps in furnishing conditions which promote comfort, health, and safety, and which—through the resulting increased efficiency and good will—will benefit the whole community.

DISCUSSION

Mr. Seiller (Kentucky). We of the Department of Labor in Kentucky find it impossible to get any help from the legislature. I would like to know how we can command attention for labor legislation. Who can back us up? Senators in Kentucky serve four years and representatives one year and we find they are interested only in what their constituents want. It is a nerve-wracking matter for us to go before them and try to have our problems solved. What to do is a mystery to me.

Doctor Andrews. Naturally the members of the legislature are interested only in what their constitutents want and we must get influential persons in the department who can get the legislature to hear us and to help us. The members care only for what their constituents are interested in. I would get those people together before the legislature meets and go over the matter with the reputable citizens and then we can get a thousand dollars' worth of free service from the best people in the country. Moreover, when they come to see the necessity of it, these people will get on their toes and at their own expense go to the legislature and fight for it because they know why.

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Mrs. SUMMERS (New Jersey). I believe the chief difficulty in getting laws passed by the legislature is that we try to get the whole thing over at one time, and bring in too many bills at the same time. It is my firm belief, based on experience, that we should take only two, and put all our effort into them. If we follow this plan and do not crowd the legislators, we will make better speed and in less time.

Mr. BALLANTYNE (Ontario). It has been my pleasure on two occasions to hear Doctor Andrews over the radio. That is a good way to advertise. It is educational.

General SWEETSER (Massachusetts). A while ago Mr. Gernon spoke about doing away with this "police" idea. I agree with him—believe we should educate those in industry and not try to arrest.

[Meeting adjourned.]

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THURSDAY, MAY 22—AFTERNOON SESSION

W. A. Rooksbery, Commissioner Bureau of Labor, Arkansas, Presiding

SAFETY CODES

State and National Aspects of the Safety Code Movement

By P. G. Agnew, Secretary American Standards Association

At the convention of your association in Toronto last year, Lewis A. De Blois, director of the safety engineering division of the National Bureau of Casualty and Surety Underwriters, discussed the "Necessity for safety standardization." The discussion of Mr. De Blois's paper, and the increased interest in safety-code development work manifested during the past year by several States which heretofore had not been active in this work, seems to justify a further discussion of national codes. In this particular attention will be paid to the relation of national codes to State regulatory work and to the desirability of the State commissions' taking a more active and responsible part in the development of the national codes.

In order to save as much time as possible for the discussion which is to follow, I will not enter into the details of the organization and operation of the American Standards Association, under whose auspices the national codes are being developed, or of the functions of the technical committees in charge of the individual codes. I have prepared a statement on this point, which it is hoped may appear in the proceedings as a part of this paper. It might not be amiss, however, to touch briefly upon the organization of a technical committee and its work of developing a safety code.

A joint technical committee is in charge of each national code. It is made up of representatives of interests broadly classified as follows:

1. Manufacturers (makers of equipment).
2. Employers (purchasers, owners, users of the equipment).
3. Employees.
4. Governmental bodies having regulatory power, or influence over the field in question.
5. Specialists at large, such as staff representatives of technical societies, consulting experts with no exclusive business affiliation, and college professors.
6. Insurance representatives.

This representation insures that all interests in any way concerned with the project have a voice in its development. It is the same group classification as that which is in general use by States that have been developing safety codes, and has proved satisfactory to them. Generally speaking, individuals on the committee do not serve as individuals, but as representatives of national associations, so that the committee is truly national in scope, and the membership

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of the association, through its official organs, is kept constantly in touch with the development of the project.

It will be noted that State regulatory bodies, such as labor departments, are given a definite place in committee representation. This representation is individual, or through such organizations as the Association of Governmental Officials in Industry or the International Association of Industrial Accident Boards and Commissions. The policy has been definitely established that any State that so desires, regardless of any representation that it may have through either of the organizations mentioned, may have membership on technical committees. The Association of Governmental Officials in Industry now has representatives serving on about 20 technical committees, which indicates that it is the policy of this association to cooperate very extensively in the development of national safety codes.

The technical committees elect their own chairmen and secretaries and proceed to develop a code that will cover the scope previously laid down. The committee is free to obtain and use any advice that it can get to enable it to complete its work, and in many cases organizes subcommittees composed of persons who are not members of the main technical committee. The final draft of the code is submitted to the entire membership of the technical committee for approval. If approved, it is sometimes printed and widely distributed for criticism, and sometimes it is submitted without further delay, through the sponsor body, to the American Standards Association for approval. The American Standards Association takes formal action only when it is satisfied that all interests in any way affected by the code have had ample opportunity to participate in its development, and that the completed document represents a real national consensus.

As an example of this standardization method of arriving at a national consensus, let us choose a specialized but relatively simple industrial problem, the protection of workmen in the use of grinding wheels.

The work of formulating a safety code on the subject was carried out by a joint committee made up of representatives of all interested groups: The manufacturers, through their national trade associations; regulatory bodies having authority over safety matters in the industries, through their national associations; employing groups which are users of grinding wheels, through their trade associations; casualty insurance companies, through their two national organizations; the workmen whom the code is designed to protect, this representation being arranged through the United States Department of Labor; national engineering societies; technical bureaus of the Federal Government; and independent specialists.

In all, 17 national organizations are represented on the joint committee, which has 30 members. After two years of painstaking work, unanimous agreement upon a complete code was reached. This was not accomplished, however, without encountering some serious difficulties and differences of opinion.

The code covers the general safety requirements to be met in the construction, care, and use of grinding wheels. It is recognized as the authoritative guide to industry, and is being legally adopted by the various State commissions.

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The procedure followed in connection with the development of the code has recently been followed in its revision. Revision was undertaken as a result of information presented to the American Standards Association by an important national trade association, and extensive tests and experiments were made before the committee agreed to include in the revised code the results of these investigations. These methods have been perfected as a result of 10 years' experience in the development of national safety codes.

A short time ago it was felt that it was time to take stock so as to determine to what extent the work was serving the various groups affected. This stock-taking showed definitely that the national program had become well established; that much excellent work in the development of codes had been done; that some of the codes, such as the Safety Code for Elevators and Escalators and the Safety Code for Abrasive Wheels had practically reached the status of a "Bible" in their respective industries; but that much yet remained to be done in furthering the use of completed codes and speeding up the work on the codes in process of development.

A general strengthening of the safety-code work was considered necessary, and in the main this is being concentrated in the work of two committees—the committee on promotion of the use of codes in industry and the committee on scope. In general, these two committees will be responsible for the planning, stimulation, and carrying out of methods for bringing codes into general use, by making them part of the regular operation of industrial concerns. They will also consider the need for revision, the question of the development of new codes, and the correlation of codes, so that in their published form they may be more effective instruments than would otherwise be the case.

To assist in carrying out this program a safety engineer was added to the staff of the American Standards Association—a man schooled in safety work in industry and with an extensive experience in the department of labor of one of the large industrial States.

I have gone into these details in order to emphasize the desire of the American Standards Association to be of service and to draw forth your suggestions as to how this service may be most effectively rendered, either in the discussion or by personal suggestion.

Some of the States are not permitted by the laws under which they operate to administer safety codes in their accident-prevention work. These, and other States which do so by preference, work under direct legislative acts. This situation is one which deserves careful study. It has a vital relation to the national safety-code program. The experience of States cooperating in the national safety-code work indicates several very definite advantages in the use of the regulatory as compared with the legislative method:

1. Accident-prevention work is placed in the hands of a specialized body. It is only proper that those who are confronted daily with the problem of preventing accidents should be intrusted with the duty of preparing the complete plans and putting them into effect. In legislation the ultimate decision is necessarily in the hands of a body whose members themselves can not have an adequate knowledge of the intricacies of the subject with which the legislation deals. Consequently it not infrequently gets distorted in the larger game of partisan politics.

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2. Participation of industry in the development of an accident-prevention program is secured. Not only does industry welcome the opportunity to assist in the development of safety regulations, but through this contact it also becomes awakened to the general accident situation, and is ready and willing to offer constructive suggestions for the working out of a comprehensive program. I believe that in practically every case where a State has entered upon an active safety-code development program, it has eventually instituted a general program covering all phases of accident-prevention work.

3. Legislation must be enforced as written. Nowhere do the basic laws of the various States give executive departments the right to decide what sections of the laws shall be enforced or against whom they shall be enforced. Regulations, on the other hand, may be enforced in such a way as to meet specific conditions. For example, in the State of New York, certain procedure in regard to variations has been established under which the industrial board, upon petition, may, if the facts so warrant, make a variation from a particular rule to meet a specific condition in the establishment of the petitioner, which will also apply to all establishments with the same specific conditions. This flexibility of procedure and enforcement secures a maximum compliance without hardship, and promotes the good will of industry toward the department responsible for safety work.

4. Regulations may be amended or repealed whenever conditions warrant. Experience gained through the enforcement of regulations frequently shows the necessity for changes. Regulations may be revised without difficulty; the same can not, however, be said of legislation. Legislation is dependent on the whims of the legislature, and several years may pass before it is possible to obtain the amendments needed.

An example of the impracticability of including detailed specifications in legislation is found in certain provisions of the mining law of the State of Pennsylvania. The law in question specifies in some detail how blasting shall proceed. It provides that the hole shall be filled, leaving no air voids. Research in the course of the last few years has shown it to be desirable to have a certain amount of air void, since this "eases off" the explosion, and the danger of falling rocks is thereby reduced. It also results in 2 per cent more salable coal. Here we have a case of a law prohibiting a practice which prevents accidents and is of considerable economic value. If the same condition existed in a safety code, it could be amended without delay, while several sessions of the legislature may pass before the law can be changed.

Assuming that it is true that the adoption of regulations by labor departments in accident-prevention work is highly desirable, what advantages may be derived from the use of national safety codes as the basis of State regulations? Several very definite points emphasize such advantages to (1) labor departments that have been engaged in the development of safety codes for some time, and (2) even more to departments whose budgets do not permit their retaining the staff necessary to carry on such work.

It has been pointed out that regulatory bodies have direct representation on technical committees, and that they are also represented

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through the Association of Governmental Officials in Industry and the International Association of Industrial Accident Boards and Commissions. As already stated, the former organization is now represented on about 20 technical committees and the latter on about 30. That national safety codes will be prepared in a form acceptable to regulatory bodies, that they will admit of enforcement, and may be applied with the least possible friction is assured by such representation. In other words, the provisions of national safety codes are not so drastic that industry would protest their enforcement, nor are they so weak or general that the regulatory body would find it necessary to spend considerable time in redrafting their provisions to render them effective.

The careful selection of the members of the technical committees, particularly as to their experience, is one of the safeguards insuring the correctness of the codes. A very definite effort is made to secure individuals of the widest possible experience for service on the committees. Also the best literature available is obtained for their use. This point is important particularly to regulatory bodies which through limitation of funds may be unable to employ adequate technically trained staffs to conduct the research and investigation necessary to the development of a correct code. The wide distribution of tentative drafts for the securing of criticism, and their reference to regulatory bodies for public hearings, brings to the American Standards Association a wealth of information that is incorporated in the code before the final draft is completed.

The national codes naturally are far from perfect. Like codes developed by individual States, they need amending from time to time in the light of new information, but at the time they are developed, the national codes represent the best in thought and practice.

Another advantage in using national codes lies in the fact that they may be adopted with a minimum of opposition. Any State starting a safety-code program is bound to meet with a certain amount of opposition from uninformed local industries. Some of them have the misconceived notion that the department of labor through the enforcement of the code will operate in such a manner as to cause the industries endless embarrassment and hardship. The organization of the technical committees, and the influence of national trade associations through their membership on technical committees, tends to minimize the possibility of such misunderstanding in regard to individual codes. Most industries that will take the trouble to be represented at public hearings and present their constructive criticism are interested enough in their own self-advancement to be members of national trade associations, and through such associations they receive information concerning the codes which the associations have assisted in developing.

The industries have learned that through the cooperative effort of the various groups concerned, they may establish national standards that will benefit all the groups affected. This viewpoint, which is becoming more widespread every day, tends largely to remove objections to the adoption of national codes by regulatory bodies.

The adoption of safety codes by the regulatory bodies does not end the service which the American Standards Association is able

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to render. A definite policy has been established which will enable the American Standards Association to insure uniformity in interpretation and adaptation of specific requirements of the codes. In some cases the technical committees are held intact for the purpose of making periodic revisions. In other cases, the main committee is discharged and a committee on interpretation is appointed, which may be called upon for information concerning the interpretation of specific requirements, and practical methods of applying the provisions to specific conditions. This service has not yet been developed to the fullest extent of its possibilities, and such service must be expanded, if for no other reason than to obtain the uniformity intended in the establishment of national codes. The use of this service can be of great advantage to labor departments. The administrative knowledge and experience of the various departments using the codes may thus be pooled, and the American Standards Association will become the clearing house for information on this point.

One of the greatest factors in the accident-prevention movement to-day is the insurance business. Personally, I admire the efforts of these organizations. Years of contact with executives of companies engaged in this work have led me to the conclusion that they not only consider it good business, but that they are genuinely interested in it as a service to humanity. Every labor department in its enforcement is bound to come in contact with the representatives of insurance companies. Hence the field work of the department using the national codes as a basis for State regulations is greatly simplified through the policy that has been established by the stock and mutual companies of bringing their schedules into conformity with the national safety codes. This means that the labor departments will obtain considerable assistance, both direct and indirect, from the inspection service of the insurance companies in obtaining compliance with the State regulations.

If time permitted, other advantages in the use of national codes could be presented, but I want to discuss with you before closing another question, namely, the desirability of a more extensive and intimate cooperation of the States in the development of national codes.

In discussing the organization of a technical committee, I mentioned the established policy that regulatory bodies can secure membership on technical committees. The fact is, however, that less than a dozen States have borne the burden of maintaining the labor department point of view in the development of national codes. The representatives of these States have served with fidelity, and I am glad to have this opportunity of publicly thanking them on the part of the American Standards Association for the great service they have rendered in the development of the safety codes that are already recognized as American standards. I am sure that these gentlemen will agree that in rendering this service they have received a fund of information that has been of great value to them. I am also sure that they will agree that the national codes would be stronger than they are if many more of the States would take an active part in their development.

It is realized that inasmuch as the headquarters of the American Standards Association are located in New York, and that this re-

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sults in most of its meetings being held in that city, it is difficult and very costly for many of you to attend the committee meetings. The American Standards Association is so desirous of securing your advice and help, that it will welcome your service on the committee by correspondence if you find you can not attend the meetings in person.

The representatives of your association serving on code committees will welcome your interest in their work. At present they serve as individuals, and their vote on approval of final drafts of codes represents their individual opinion, and not that of this association. Your representatives have many times expressed the wish that they could in some way more truly reflect the views of the association in their work on these committees. May I therefore suggest, in the absence of any definite procedure for instructing your representatives how to vote on the questions coming before them, that you indicate to your representatives the fact that your State is interested in the code under consideration, and that you would be glad to be kept informed of the progress of the work.

It is abundantly evident that there is much to be gained in the movement for the prevention of industrial accidents by a far more intimate and active participation of the States in the national safety-code program, not merely in the use of the codes in State work, but in directing policies and in the formulation of individual codes. The benefits of such cooperation will accrue to the State officials, to the industrialists, to the insurance companies and technologists, and most of all to the workman himself.

Report of Committee Appointed to Study the Relation of the Association of Governmental Officials in Industry to Safety Regulations, Safety Codes, etc. (Charles E. Baldwin, chairman)

Your committee appointed to study the question of the relation of the Association of Governmental Officials in Industry to safety regulations, safety codes, etc., presents the following as its report:

At the outset the committee assumed that it was not necessary to discuss the importance of basic safety standards or the necessity of their adoption if there was a real desire to make industrial accident prevention effective. It has taken for granted, therefore, that its job was primarily to find out and report what has been done by the various States toward the formulation and adoption of safety codes and regulations and their administrative procedure in making them effective and useful to industry.

To this end a letter in the form of a questionnaire was sent to the administrative official of each State, asking for descriptive answers to the three following inquiries submitted by the president of the association as a basis for our report:

1. Methods of formulating safety regulations.
2. Methods for approving and adopting specific devices.
3. General methods of administration.

The replies received in answer to these inquiries disclosed a marked lack of uniformity and in several cases a lack of any well-defined method of procedure. Nearly all of the States have some form of factory inspection laws and many of them contain provisions making mandatory the installation of safety devices to protect workers from accidents, but very few make any

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specific provision for the formulation or adoption of safety codes, nor do they specify any definite method of administration.

In some States, safety regulations are formulated by statute, the statute requiring that safety devices shall be adequate, in the opinion of the factory inspector, but provide no method for arriving at practical results.

Several States, however, have taken advanced steps and have well organized and definite methods of procedure for formulating safety regulations for the approval of safety devices and for their administration.

To your committee, it seems fitting that a few of the best formulated methods should be embodied in this report, not as a recommendation that they be adopted by this association, but that they may be presented as exhibits for the general information of those engaged in accident prevention.

The following are the verbatim statements, or in some instances a digest of the statements, made by the State officials to whom the questionnaires were sent:

Statement No. 1

(*a*) All regulations are developed with the aid of committees. These committees are made up of representative persons who would be affected by the regulations when adopted. As far as possible we try to get the most outstanding men in the field which the regulations affect to act on these committees. Where the regulations affect both employer and employee, representatives of both groups are invited to sit on the committee.

Depending upon the type of regulation which is being developed, this committee may be an active operating committee or simply an advisory one. If an operating committee, the personnel of that committee meets with representatives of the department drafting regulation and works directly with them. If an advisory committee, the advice of the committee is solicited, usually by correspondence, and the proposed regulation is then drafted along the lines suggested. Probably the majority of the work is carried on by advisory committees.

Let us consider the different steps taken in developing a regulation covering a given subject. The request for the regulation may originate with some group affected by it, it may originate within the department, or it may be necessary to carry out the intent and purpose of an act of the legislature. In any case the procedure is the same.

The bureau of industrial standards is the code-making body of the department. It would assemble all the information necessary and write the preliminary draft of the code, basing this draft on the information available. A copy of this preliminary draft would then be sent to the bureau of inspection, all supervising inspectors and to the advisory committee (assuming that the committee in this case was an advisory one).

The bureau of industrial standards would then revise the regulations in the light of the criticism received. The advisory committee would probably base this criticism on a general knowledge of the subject, while the bureau of inspection would base its criticism on the enforcement difficulties which might be encountered.

The revised draft would be known as the tentative draft of the regulations. This is then submitted to the industrial board which would conduct public hearings on it throughout the State.

The criticism received at the public hearings is taken verbatim by reporters and is transmitted to the bureau of industrial standards. The tentative draft is again revised in the light of this criticism. Debatable points are referred

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to the committee for advice, and the committee is consulted frequently in preparing this final draft. The final draft is then again submitted to the industrial board for approval and is approved, effective 30 days from that date.

(*b*) We have in effect two distinct types of approvals; namely, approval by the industrial board and approvals handled by the bureau of industrial standards.

In some of our regulations we require that certain devices be of an approved type, that is, approved by the industrial board. Under this classification would fall elevator interlocks, shuttle guards, and many other devices.

The procedure to secure such an approval is as follows: The person manufacturing or wishing to use such a device makes application to the industrial board for approval. The industrial board transmits the request to the bureau of industrial standards for investigation, the bureau of industrial standards submits its reports to the industrial board recommending that approval be granted or rejected. The industrial board then considers this recommendation and if agreed to, carries out the recommendation. If approval is granted, a certificate of approval is issued to the applicant for the device, and if rejected, the applicant is so advised, giving the reasons why the request was not granted.

The other type of approval—the bureau of standard approvals—comprises requests for approval of devices which are not required by the regulations to be approved. These are simply service approvals, the department voluntarily attempting to pass judgment on safety devices submitted to it, and basing its findings on its general experience in accident prevention. These approvals have no official status, in that they are not necessary before the device may be used. They do, however, furnish the applicant with convincing sales arguments if he wishes to market his devices.

The latter type of approval is not solicited, but we handle a great many of them. They are given the same thorough investigation before approval as are the approvals which are required. We find that many manufacturers of safety devices are taking advantage of this approval service.

(*c*) The administration or enforcement of all rules and regulations is vested in the bureau of inspection. This bureau of inspection is divided into 10 inspection districts, under the direction of a supervising inspector for each district. Each inspection district has as many inspectors as is necessary for the adequate enforcement of all rules and regulations of the department. Each inspector is required to know all the different rules and regulations and is directly charged with the enforcement of them in his own territory.

In case of difficulty in enforcement or interpretation of policy, the inspector consults his supervising inspector. Where the supervising inspector is unable to supply the information needed, he consults with the director of the bureau of inspection.

The director of the bureau of inspection has access to all information he may require, as from the industrial board, the bureau of industrial standards, or elsewhere. Several other bureaus of the department may be called upon to furnish information on any particular subject.

The bureau of inspection is also composed of several sections, each dealing with one specialized activity, such as boiler section, elevator section, building section, mines and quarry section, etc. Several of these have their own inspectors who report directly to the chief of that bureau rather than to the supervising inspector. These inspectors are concerned only with their own particular section, and a boiler inspector does not handle elevators, and vice versa. The tendency has been more and more to specialize during the past few years.

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STATEMENT No. 2

(*a*) With the authority to adopt safety codes, the legislature gave the industrial commission power to appoint advisors to assist in the execution of its duties.

Under this authority, the commission has appointed various code committees to formulate specific codes relating to special industries or fields and to special hazards. In organizing any such committee, the commission has selected representatives from the various fields and interests directly affected as well as experts (engineers, architects, physicians, etc.) who have special knowledge of particular hazards and of methods of prevention. So far as possible, men are selected who are familiar with both the practical and theoretical phases of the problems under consideration and know of and have access to the sources of fundamental and research data and practical information needed in the preparation of regulations of the highest possible standards consistent with practicability. As an illustration, the building code advisory committee is made up of representatives from designers, builders, engineers, material manufacturers, material dealers, real estate brokers, general business interests, governing bodies, insurance, and labor. In order that there be continual contact with the industrial commission and that its records and experience be continually available, one member of the committee is an engineer from the commission's safety and sanitation department.

Each advisory committee, upon organization, operates under its own rules. It meets regularly for a period of time sufficient to accomplish its purpose. After a study of the particular field is made, a tentative code of proposed regulations is drafted. These proposals are mailed to all persons and industries which are affected. Public hearings are conducted in convenient cities throughout the State to give all persons interested an opportunity to be heard. Thereafter, further consideration is given by the committee to suggestions and objections made at each hearing. Final regulations are then recommended to the commission. Upon a further hearing held, the industrial commission adopts such recommendation as a State code and the regulations—each code upon proper publication—become law. All such committees are made continuing so that changes and revisions in the light of new experience and new development may be made.

(*b*) No hard and fast rules for formulating rules and regulations is followed. Each committee is permitted to function freely and without restraint to the end that its work may produce a code which is of high standard, yet practical, reasonable, and enforceable.

All available sources of information are consulted. In some instances studies by individuals or subcommittees are made. From the very nature of the committees' organization, familiarity with the problems involved, practical experience, and personal knowledge and opinions are immediately made available for the work in hand. The following are some of the sources of information consulted, through correspondence, personal contact, and publications:

1. Published successful building codes, and the advice of enforcing officials.

2. Research and other authentic data of national organizations, including those interested in materials, design, equipment, insurance, and enforcement. Some of the organizations are: American Society for Testing Materials, National Fire Protection Association, Building Officials' Conference of America, American Society of Civil Engineers, American Society of Mechanical Engineers, and National Safety Council.

3. United States Government bulletins, including those of the Bureau of Standards and the Bureau of Mines.

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4. Bulletins of recognized institutions, including universities, underwriters' laboratories, National Safety Council, etc.

5. Fire insurance records.

6. Publications, including books, journals, proceedings, and magazines.

7. Personal contact with, and correspondence with, national authorities in matters of building construction, fire protection, equipment, sanitation, etc.

An advisory committee on dust and fumes, consisting of representatives of major interests, is at present working on new regulations for enforcement to protect workmen against industrial poisons and dusts. The sources of information being consulted by this committee are, in part, as follows:

1. Experiences and bulletins of other States.

2. Research data and bulletins of United States governmental departments, including Bureau of Mines and Public Health Service.

3. Periodicals, including the Journal of Industrial Hygiene, and others.

4. Publications, books.

5. Experiences and bulletins of foreign countries, including Sweden and Germany.

In the case of code amendment or code revision, the statistical records of the commission and its experience in the administration of the code under consideration is of primary importance.

(*c*) Under the statutes of the State, the employer is required to comply with the law and with the safety codes. It is the duty of the industrial commission to enforce such compliance. For this purpose, the commission has in its personnel a number of deputies who, of course, must be familiar with safety laws and code regulations. These deputies inspect factories and public buildings, within certain districts assigned to them, to determine whether or not code requirements are complied with. Such inspections are not made merely in the rôle of policemen to ferret out violations, but rather that of a safety advisor to aid the employer in complying with the code and in solving safety problems. These inspections are always made in company with some one in authority in the factory, so that questions may be fully discussed and faults pointed out and solved. Where failures to comply with requirements exist, a copy of a list of such failures is given to such employer, usually with a fixed time before which such failures must be remedied. In view of the fact that industries are represented on code committees and aid in the development and establishment of the code under which they will operate, employers generally are readily convinced of the reasonableness of code requirements and compliance is effected rather quickly. Of course, when compliance does not come following such inspection and report and no good cause for such failure exists, prosecution must follow. Penalties for such failure are provided for in the statutes.

Statement No. 3

(*a*) The labor laws of the State make provision specifically for the safeguarding of the machinery, for proper lighting, for the installation of handrails on stairways, for safeguarding elevators, for proper building exits, the erection of scaffolding, etc. The commissioner of labor is given ample authority to inspect all work places and issue such orders as he may deem necessary for the protection of workers. The best method of formulating safety regulations is to use the safety codes adopted by the Bureau of Standards and the National Safety Council as a guide and formulate a safety code for each industry separate from all others. For illustration, formulate a "safety code and standard specifications for safeguarding machinery and other equipment in laundries and cleaning establishments" and as a foreword point out the principal hazards

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common to that industry; then name each machine or other equipment separately and by number, and specify just what must be guarded, how it must be guarded, and the kind of material that must be used.

(*b*) Such safety rules and regulations as may be necessary to give effect to the law are determined and issued by the commissioner, based on the recommendations of his inspectors. He does not approve of any specific safety device; his idea is simply to formulate and adopt a code and specifications and let the manufacturer of safety devices meet the requirements of the code and specifications and sell his product subject to the approval of proper authorities after the installation is made.

(*c*) The best method of administering safety regulations is in selling the safety idea (its success depends on the ability of the safety inspector as a salesman). It is simply a matter of salesmanship on the part of the inspector; if he is able to do that he will receive the cooperation of those he is dealing with. On the other hand, if he drops in, makes his inspection, issues his order to correct certain physical defects in a cold-blooded business manner, leaving the impression that the order must be complied with because it is required by State law, he has only made an enemy for the safety movement.

Statement No. 4

(*a*) A very satisfactory method for developing safety regulations in industry is to obtain membership in the American Standards Association and use the rules developed by this group of engineering experts. This method of developing State safety regulations will tend to uniformity, and the time may come when machinery will be safeguarded at its source and we shall not be confronted with the difficulty of safeguarding machinery exposures after the equipment is installed.

(*b*) It has been found necessary for the State to approve specific safeguarding devices in order that a manufacturer may know that the device, if installed, will be acceptable to the department. In this connection it is always more satisfactory if the approved device is of such a nature that the compensation rating bureau will give it a credit rating when it has been installed.

(*c*) If safety rules represent the engineering thought in industry, there should be little difficulty in efficient administration. If new problems arise that are not covered by the State regulations, we might refer a case relating to fire to the rules of the Underwriters' Association. In case of a complicated machine exposure we might confer with the compensation rating bureau's engineering department. In a matter dealing with sanitation it is the common practice to consult with sanitary experts connected with the United States Public Health Service.

Statement No. 5

(*a*) The workmen's compensation, insurance, and safety laws give the commission power to issue "general or special orders, rules or regulations," "to declare and prescribe what safety devices, safeguards or other means or methods of protection are well adapted to render the employees of every employment and place of employment safe as required by law or lawful order," "to fix such reasonable standards and to prescribe, modify, and enforce such reasonable orders for the adoption, installation, use, maintenance, and operation of safety devices, safeguards, and other means or methods of protection," and "to require the performance of other acts which the protection of the life and safety of employees in employment and places of employment may reasonably demand."

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The commission fixes a "time and place for the holding of hearings for the purpose of considering and issuing general safety orders." The actual procedure in this case is for the commission to write suggested safety orders, and then call a committee of employers and employees, of insurance companies and engineering organizations to consider these orders. These committees are called to meet in two principal cities, and after the two committees have agreed on the orders, public hearings are held in the two cities. After the hearings, the orders are either adopted by the commission or are referred again to the committees for further consideration to settle the point brought out at public hearings.

The orders may again be presented at public hearings or may be then adopted by the commission. When adopted, a certified copy is sent to each city clerk and to the clerk of each city and county, and these orders then become the minimum requirements of that city or city and county.

(*b*) The method of approving and adopting safety devices at the present time is as follows: The blue print of the device, accompanied by the device itself, if it is not too large, is submitted to the commission. The head of the division interested makes such investigation and tests as he deems necessary and is able to make, and either rejects the device or recommends that it be approved for use in this State. The recommendation is submitted to the superintendent of safety, and if he concurs with the head of the division interested in the device an approval for use in this State is issued. If the device is not approved, the person presenting the device may appeal to the commission against the decision of the safety department. When a device has been approved by a recognized laboratory, such as the underwriters' laboratories, due consideration is given to that approval, but approval by a standard laboratory does not necessarily mean that it will be approved by the industrial accident commission for use in places of employment in this State.

(*c*) The commission has engineers and inspectors who visit places of employment, make inspections, and advise the employer wherein his place of employment does not meet the orders, rules, and regulations of the commission, and the employer is required to remedy these unsafe conditions. If he does not remedy them, he is given an opportunity to appear before the commission and show cause why he should not comply with the order. If the commission decides that he should comply, he must either do so or the commission will prohibit the further use of the device or devices or place of employment. The use of such device or devices or place of employment after having been prohibited by the commission is a misdemeanor. The commission may also apply to the superior court for an injunction restraining the use or operation of the device, devices, or places of employment until the unsafe conditions have been corrected.

Municipalities whose requirements are at least equal to the requirements of the commission may have their boiler and elevator inspectors examined by the commission and, if they pass the examination, these inspectors may be certified by the commission. When so certified, the commission accepts inspection reports made by them as though they were made by employees of the commission.

Insurance companies who have boiler and elevator inspectors may also have their inspectors examined and certified, and the inspection reports of such certified inspectors are also accepted by the commission.

Where inspections are made by certified elevator or boiler inspectors, the commission does not make the inspection.

The commission charges for inspections of boilers, elevators, and air tanks when made by its employees, but makes no charge for other inspections.

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No arrangements have been made whereby the commission could accept the reports of insurance-company inspectors making compensation inspections. The law does not provide for such an arrangement, but it is a matter that should be considered.

Statement No. 6

(*a*) The commissioner, assistant commissioner, and associate commissioners of the department may appoint committees, on which employer and employee must be represented, to make investigations in any line of industry and recommend rules and regulations for the prevention of accidents and occupational diseases. Before adopting any rule or regulation in this connection, public hearing must be given, and not less than 10 days before the hearing a notice thereof must be published in at least three newspapers.

When rules or regulations have been approved by the associate commissioners and the assistant commissioner, they take effect 30 days after such publication, or at such later time as the associate commissioners and the assistant commissioner may fix.

(*b*) The State publishes in bulletin form the rules and regulations that have been adopted to protect the employee against accidents. These bulletins define provisions for emergency stopping devices; standards relating to belt guards; regulation of pulleys on line, counter, and jack shafting and the spacing of pulleys to prevent belt falling from one pulley and being caught between it and an adjacent one; height and type of guards for shafting; eliminating danger from projecting set screws; requiring couplings and collars of a safety type; specific type of guards for inrunning gears and sprockets; protection for balance and fly wheels; the use of portable ladders with metal spikes or spurs; regulating permanent platforms and railings; requiring stairway treads to be kept in good repair at all times and equipped with permanent handrails of metal or wood free from splinters or other dangerous projections; and the requirements regarding specific types of hazardous machinery, such as power-punch presses and woodworking machinery, and other regulations including foundry rules; rules for prevention of accidents in building operations; painting rules; industrial lighting code; requirements for the care of employees injured or taken ill in industrial establishments; and regulations governing compressed-air work.

The appearance of new devices in the market, for the control of machinery standards, are promptly made known to the inspectors through a monthly bulletin issued to them. The department does not approve each type of safety device which appears on the market, but does require compliance with its rules and regulations and that all machinery having movable parts shall be securely guarded so far as practicable.

(*c*) The administration of safety regulations is accomplished through inspection of work places. Plants in which hazardous conditions may arise are given more frequent inspection than places where these conditions do not prevail. Thus concerns engaged in the manufacture of explosives are inspected every three months; and in places where industrial poisons are used in work processes, inspections are made two and in some cases three times a year. Other visits to these places may include the investigation of accidents or reinspection visits to determine if compliance with orders has taken place.

Statement No. 7

(*a*) When this commission contemplates the formation of any safety regulation or set of regulations, it circularizes the interested groups. Each group

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is advised of the contemplated action of the commission with the request that said groups appoint a committee to confer with like committees from other groups regarding said matter. At a later date, and when the personnel of the respective committees has been furnished the commission, we prepare a tentative draft of said order or orders and call a conference of the committees with the commission. The tentative order or orders is furnished the members of the conference with the request that a general discussion be had.

Usually at the conclusion an adjournment is taken for a sufficient length of time to permit the various committees to report back to their respective groups said tentative proposals, with the suggestion that such criticism be made and offered the commission as seems most likely to result in satisfactory and helpful regulations. Another and final meeting is then called at which the respective criticisms are gone over and such amendments made to the tentative draft as seem proper. The committees, having then finished their work by furnishing the commission with criticisms and suggestions, are adjourned. As a last step the commission takes up the matter and finally disposes of the same in the form that seems most likely to meet the requirements demanded by the situation.

(*b*) This commission does not formally adopt any safety device. Inasmuch as the administration of all safety regulations comes within the scope of the duties of the industrial commission, we rely very largely upon the opinion of our respective inspectors as to whether or not a particular device meets the requirements of our safety standards. If the opinion of the inspector is that a particular device does meet the requirements of our safety standards, then installation follows as a matter of course and without any formality on the part of the commission.

(*c*) Regarding the administration of our safety regulations, the commission is empowered by statute and does appoint inspectors whose duty it is frequently to inspect various places of employment. Where an inspector finds any place of employment that is not complying with the safety standards prescribed for that particular operation, the attention of the management is called to that fact with a request that the safety standards be immediately complied with. This is done in writing.

A copy of the inspector's demand is furnished the industrial commission. Employers are requested to acknowledge receipt of the exception to their safety practices and to advise the commission in writing that they are now complying with the safety standards prescribed for their particular operations.

Statement No. 8

(*a*) The industrial commission appoints a general advisory committee, as a standing committee, composed of an equal number of representatives of employers and of labor and indicates to this committee from time to time the particular operations, subjects, or industries which appear to need regulation as determined by the industrial commission in its experience in the hearing and adjudication of claims under the workmen's compensation law.

The general advisory committee selects subcommittees, composed also of equal representation of employers and employees who are engaged in the industry, or are authorities on the subject of operations for which a code is to be prepared. A separate and distinct subcommittee is selected for each code. The division of safety and hygiene collaborates with these code committees in the preparation of codes in an advisory capacity.

When a tentative form of code is formulated, public hearings are held at various points in the State to enable all those interested to meet with the

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committee and present constructive criticism and comment. These hearings are officially reported verbatim and the reports thoroughly reviewed by the committee at meetings subsequent to the hearings and such alterations made of the code which may be agreed upon by the committee as the result of the public hearings. After these final meetings the code goes to the general advisory commmittee for review, possible changes, and approval, and in turn is submitted by that committee to the industrial commission for official adoption.

(*b*) To obtain approval of safety devices a demonstrating or working model or working drawings of the device must be furnished, the same being referred to the engineers of the division of safety and hygiene of the industrial commission or to engineers of a division of the industrial relations department most competent to pass upon the particular device. If it is found that the device conforms with requirements of State safety codes and with safe practice, recommendation is made to the industrial commission for approval, which may be made by resolution of that body.

(*c*) The exercise of authority in the enforcement of the safety regulations, codes, or specific requirements or other orders promulgated by the industrial commission rests with the department of industrial relations and its various divisions of factory and building inspection, mines, and boiler inspection.

By legislation effective in 1925, the industrial commission was authorized to create a bureau for the prevention of industrial accidents and diseases and to employ a force of persons for its efficient operation under the direction of the industrial commission. Its maintenance was provided by an annual appropriation of 1 per cent from the contributions of employers to the State insurance fund.

This bureau is known as the division of safety and hygiene. It has no police power and its activities are directed to acquainting employers with legal requirements for the safety and health of their employees and advising of measures and means of compliance and of the economic and humanitarian advantages of observance of the laws. By process of education and the employment of persuasion and reason this agency has been, since its inception, no small factor in the administration of safety regulations.

Statement No. 9

Whenever the industrial commissioner or the board finds an industry, trade, occupation, or process involving danger to the lives, health, or safety of persons employed therein unprotected by the labor law or industrial code rules, the commissioner directs the division of industrial codes to prepare proposed rules for such conditions. The division consists of two referees and a stenographic force; one of the referees acts as chairman of the advisory committee appointed, alternating with the other, who becomes chairman of the next committee constituted. An advisory committee is appointed by the commissioner to assist the division in this work. Upon receipt of such instructions from the commissioner, the chairman communicates with associations of employers and of industries, labor organizations, underwriters representing insurance interests, chambers of commerce, and other associations and societies, requesting the names of men who will serve on the advisory committee, to represent the various interests. The chairman communicates also with experts, technical and practical men well qualified and experienced in the particular subject, and selects suitable men from the engineering staff of the department of labor, whom the commissioner then appoints, which constitutes the advisory committee for that code. In the meantime, the chairman collects and

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assembles all data and information obtainable from the various States and code-making bodies relating to the subject and calls a meeting of the committee. At such meeting the work of the committee is organized, the scope and nature of the work outlined, suggestions are noted, and to facilitate progress and thoroughly cover every subject, the chairman appoints subcommittees, selecting from the advisory committee such men as are by profession, training, or practical experience best fitted for the particular subject, and appoints as chairmen of the subcommittees men with such qualifications and who have also had experience on code committees.

The chairman of the advisory committee is an ex officio member of all subcommittees. All data, suggestions, and information in the hands of the chairman is given to the chairmen of the various subcommittees, who then proceed with the work of formulating rules. The subcommittee drafts rules, then holds the meeting to review and discuss them, and when all the proposed rules are completed and agreed to, a copy is sent to the chairman of the advisory committee, who has a sufficient number of copies made, sends one to each member, together with a notice of a meeting of the advisory committee, allowing sufficient time for members to look them over carefully and be prepared to discuss them intelligently. At the meeting, the chairman reads the rules one by one to the committee, each rule being discussed separately, until all are in accord. Many times subcommittees, while preparing rules, visit various factories or places to which the rules will apply to inspect conditions, observe operations, and note whether or not a proposed rule is practicable and affords adequate protection.

Public hearings

A provision of the labor law makes it mandatory to hold public hearings on all proposed industrial code rules, the purpose of which is to afford the public and all interested in the rules an opportunity to express an opinion, to make constructive criticism and suggestions, or to voice an approval.

Copies of the proposed code, one for the commissioner and one for each member of the board, are then handed to the industrial commissioner, who transmits them to the industrial board for action. After the board reviews the rules, it adopts them tentatively, fixes a date and place to hold public hearings throughout the State, names the newspapers in which a notice of such hearings shall be published, and directs the division of industrial codes to make the necessary arrangements, together with printing and distributing the proposed rules, which is usually done about four weeks before the public hearings are held. All members of the board are present at the public hearings and the two industrial code referees are in attendance to arrange and care for the details incidental to such hearings and to listen to the speakers. A stenographer is present to record the proceedings of the hearings. The names of all those attending are taken and made a part of the minutes. After all have been heard that wish to speak the meeting is closed.

Action by the board

After the minutes have been transcribed the industrial board holds executive meetings to consider the rules. With a copy of the minutes of the public hearings before them, each rule is carefully considered and those that are satisfactory are adopted, three votes being necessary to adopt; others, if they think it wise, are amended, and a date fixed upon which they shall become effective. After this a copy of the rules as adopted by the industrial board is transmitted to the industrial commissioner for action thereon, as the rules can not

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become effective unless and until approved by the commissioner. Then the secretary of the board sends a certified copy of the code as adopted to the secretary of state to be filed at the capitol, a copy to the bulletin, published by the department, and if the rules affect New York City, a copy to the city record of New York City for publication.

Method of approving fireproof material and safety devices by the New York State Department of Labor

All applications for approval are referred to the committee on approval, which was appointed by the commissioner and consists of the deputy industrial commissioner (chairman), the two industrial code referees, various bureau heads, and the mechanical and electrical engineers of the department. When an application for approval of fireproof material or safety devices is received, a sample and detailed description of construction of the material, article, or device, and blue prints are required.

The secretary of the committee on approval refers the application to a subcommittee appointed from the committee on approval—usually three in number—for investigation, review, report, and recommendations; for fireproof material, a copy of the testing laboratories' report of the fire and water tests must accompany the application for approval. The report of any recognized laboratory with proper facilities for making tests is accepted, the material and devices are carefully reviewed and examined, and when there are any installations in the State, the subcommittee inspects the device in operation, after which it makes its report and recommendations. This is then considered at a meeting of the committee on approval and the report together with the committee's recommendation is transmitted by the secretary to the industrial board for action. If the test is found to have been of severity equal to that prescribed in the specifications of the department of labor and passes the test satisfactorily, it is invariably approved by the board. After an approval by the board, a letter is sent to the applicant advising that it has been approved as conforming to the requirements of rules, when constructed to conform with the description attached to the letter.

CONCLUSION

A few other States have plans more or less definite, but a large proportion of the States are doing their safety work in a haphazard sort of way without any well-organized plans.

While none of the foregoing statements, perhaps, presents a model method or form of procedure, they do furnish sufficient suggestions to be of service and to assist other States in formulating a definite practical program.

It is very evident that no State legislature will be induced to enact safety laws of the right kind unless there is presented to it some definite, logical, and workable plans to be adopted and followed, which would make the laws effective. Therefore, the officials of each State are urged to study the procedure in all of the States and, out of the fund of practical experience, formulate a plan that will make effective a safety program for their State.

In the formulation of safety regulations and the adoption of specific safety devices, your committee suggests and urges the consideration of the various safety codes adopted by the American Standards Association, known as the "National Safety Codes." These constitute the best thought and judgment of the foremost safety engineers and experts in accident-prevention work in the

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United States. Sixteen of these codes have been published as bulletins by the Bureau of Labor Statistics and are available upon request.

In order that all may be familiar with the status of industrial safety regulations in the various States it presents, as an appendix to this report, a copy of a pamphlet published by the United States Bureau of Labor Statistics, which shows the States that have adopted rules, regulations, or orders that have been approved by the American Standards Association or which are in process of development by that organization; also certain other safety provisions that are not included in the National Safety Codes. This pamphlet is not strictly up to date, having been published a year ago, but it will be revised by the bureau in the near future and will be sent to the officials of each State as soon as published.

[Pamphlet, which was submitted with report at the convention but not included in the proceedings, may be obtained upon application from the United States Bureau of Labor Statistics. See Monthly Labor Review, March, 1929, pages 103–115.]

On motion of Mr. Stewart, the foregoing report was approved and indorsed by the association, and the committee was continued for another year.

Reports of Representatives of the Association of Governmental Officials in Industry on Safety Code Committees

Reports were read in person or submitted by persons mentioned below regarding safety codes on which the Association of Governmental Officials in Industry has representation. A complete list of codes and representatives serving on the code committees is given in Appendix A.

Safety code correlating committee.

Representative, Thomas P. Kearns, department of industrial relations, Columbus, Ohio.

Only one meeting of the safety code correlating committee has been held during the past year, but it has been carrying on its work through its executive committee, subcommittee on promotion of codes in industry, and subcommittee on scope.

The subcommittee on scope has been active in insuring that the personnel of sectional committees is properly balanced and that the scope of new projects and projects already under way do not overlap the work of projects being handled by other sectional committees.

The most interesting development of the safety code correlating committee comes through the committee on promotion of codes in industry. This committee at a recent meeting laid plans for interesting manufacturers all over the United States in the safety-code work, and it is hoped that the manufacturers will voluntarily use the codes as a part of their regular operations.

The general work of the safety code correlating committee is routine in character, and the reports of the representatives on the various sectional committees indicates more completely the progress of the safety code work than a detailed report of the safety code correlating committee would do.

A 9 (1929)—Building-exits code.

Representative, John Campbell, department of labor and industry, Harrisburg, Pa.

Since the last meeting of this association the building-exits code has been approved by the American Standards Association as tentative American standard. The sectional committee handling this work is a standing com-

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mittee and is constantly developing new phases of the subject and making revisions of provisions that have been in effect long enough to secure criticism from application by regulatory bodies.

A 10—Construction code.

Representative, John Roach, department of labor, Trenton, N. J.

The sectional committee has not as yet been completely organized, due to the fact that the National Safety Council has not been able to obtain a proper representative. As the National Safety Council is one of the sponsors of the project, it does not feel that the sectional committee should begin work until its representative has been appointed. It is hoped and expected that this vacancy on the sectional committee will be filled before the convention at Louisville is held.

A 17—Elevator safety code.

Representative, John P. Meade, department of labor and industries, Boston, Mass.

Committee acted on revisions to Elevator Code on April 19, 1930. Revisions are not printed or available for distribution.

A 22—Safety code for walkway surfaces.

Representative, John Campbell, department of labor and industry, Harrisburg, Pa.

(The draft is now in the hands of the American Standards Association.)

B 9—Refrigeration safety code.

Representative, M. H. Christopherson, New York State Insurance Fund, New York, N. Y.

This code applies to the safe installation, operation, and inspection of every refrigerating system, hereafter installed employing a fluid which is expanded, vaporated, liquefied, and/or compressed in its refrigerating cycle.

This code is intended to provide reasonable safety for life, limb, health, and property.

A tentative copy of the revision of the safety code rules on this subject was prepared in August, 1927. Various meetings were held in the next two years at which the tentative rules were revised and the final details were completed by letter ballot.

B 20—Safety code for conveyers and conveying machinery.

Representative, John P. Meade, department of labor and industries, Boston, Mass.

No meeting of the sectional committee for the Elevator Safety Code has been held since the last convention of the Association of Governmental Officials in Industry.

B 30—Safety code for cranes, derricks, and hoists.

Representative, Eugene B. Patton, department of labor, New York, N. Y.

The committee on the development of the safety code for cranes, derricks, and hoists has made substantial progress during the past year. The main committee was divided into various subcommittees to handle different branches of the work. All of these subcommittees have received orders to complete their reports by June 1, 1930.

An editing committee has been appointed to edit the reports of the subcommittees and weld them into a complete code. Another year should see the complete adoption of this code and the distribution of it to all interested parties throughout the country.

K 13 (1930)—Code of colors for gas mask canisters.

Representative, John Roach, department of labor, Trenton, N. J.

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This code has been formally approved as American standard by the American Standards Association and the work of the sectional committee is finished. Code is now being printed by the United States Bureau of Labor Statistics and copies will be available at an early date.[1]

L 1 (1929)—Safety code for textiles.

Representative, John Campbell, department of labor and industry, Harrisburg, Pa.

This code has been approved as tentative American standard since the last meeting of this association. We now have one additional industry tied into the safety-code work.

X 2 (1922)—Safety code for protection of heads and eyes.

Representative, John P. Meade, department of labor and industries, Boston, Mass.

It is intended in the new revision to extend the scope of the code to include protection afforded by gas masks and respirators. This is now in progress.

Z 4—Safety code for industrial sanitation.

Representative, Thomas C. Eipper, department of labor, New York, N. Y.

This committee, sponsored by the United States Public Health Service, was appointed about two years ago. It has no chairman or secretary. Some effort was made to prepare a code but it does not appear that satisfactory progress was made, although a rough draft was formulated.

About two months ago Doctor Jones of the United States Public Health Service was appointed, and is now engaged in revising the first draft, or is preparing a new one, which will be submitted to the committee as soon as completed.

Z 5—Ventilation code.

Representative, Thomas C. Eipper, department of labor, New York, N. Y.

This is sponsored by the American Society of Heating and Ventilation. It was appointed about three years ago. Nothing appears to have been accomplished, and it was finally decided that a code was not essential and the committee recommended that the work be dropped.

Z 9—Safety code for exhaust systems.

Representative, John Roach, department of labor, Trenton. N. J.

Subcommittees of the section committee are now being appointed to develop sections of the proposed code covering exhaust systems in industries or for processes already covered by other national codes. For instance, there is a national code on the use, care, and protection of abrasive wheels. One of the subcommittees will develop requirements for exhaust systems for this type of apparatus. Any other existing national code which is incomplete because of lack of exhaust requirements will be considered by one of the subcommittees now being appointed.

Z 12—Safety code for prevention of dust explosion.

Representative, W. J. Burke, department of labor, New York, N. Y.

For information as to progress in the safety code, I would refer you to Mr. David J. Price, chairman of the dust explosion hazards committee, Bureau of Chemistry and Soils, Washington, D. C.

Z 13—Safety code for amusement parks.

Representative, Thomas C. Eipper, department of labor, New York, N. Y.

Two meetings of the sectional committee have been held. At the first, on October 17, 1929, the purpose and scope of the codes was decided upon; i. e.,

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classification of devices, construction and rules for maintenance and operation—22 classifications were agreed upon and a subcommittee of one for each was appointed. Following is a list of such subcommittees:

Gravity rides.
Central driven circular rides.
Circle swings, sea planes, airplanes, etc.
Ferris wheels and swoopers.
Caterpillars, over the jumps, tilt-a-whirl, lindy looks, tumble bugs, etc.
Danglers, chair-planes, etc.
Whirlpools, pits, foot ball, etc.
Waltzer.
Cuddle up.
Cable driven type—whits hey days, etc.
Water rides, old mill chutes, chute the chutes.
Railway or train type.
Swings, etc.
Water toboggans and land slides, fun houses, and walk throughs.
Swimming pools, bathhouses, and benches.
Boats and launches.
Shooting galleries.
Zoomer.
Buildings, skating rinks, dance halls, etc.
Parks general—gates, driveways, walks, parking, first aid, sanitation, etc.

At a subsequent meeting of this committee, held at Springfield, Mass., on February 26, 1930, a report was presented by two of the subcommittees: (1) Shooting galleries; (2) dodgems, skooters, and similar rides. Both were fully discussed, some changes were made, then recommitted to the subcommittees for further consideration, and to be submitted at the next meeting of the sectional committee. Other subcommittees will be ready to submit reports at the next meeting. Considerable interest is shown by members of the various subcommittees and progress is fairly good.

Rules relating to shooting galleries cover construction, arrangement, and protection of galleries, regulating minimum width of ranges of various lengths, material of targets, loading of guns, prevention of ricocheting of bullets, etc.

Code for dodgems, skooter, and similar rides: These rules completely cover construction of buildings, floors, tracks, construction and safety of cars, bumpers, maximum speed of cars, electric wiring, maximum voltage, guarding of machinery, floors to be kept free from projecting screws, bolts, etc.

Safety Codes

By John Roach, Deputy Commissioner of Labor, New Jersey Department of Labor

I have had an opportunity of knowing intimately so many of the State officials who are intrusted with the enforcement of labor laws that I feel safe in saying that not many of them are entirely satisfied with the present state of accident-prevention work in their respective jurisdictions.

I do not mean to infer that we are at a standstill or that the situation is getting beyond our powers to meet it but, in a general way, I am sure we all recognize the absence of a stabilized, definite program based on certain acknowledged fundamentals of procedure that meet with the approval of officials in all the industrial States.

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It is easy enough to show that substantial progress has been made during the 19 years that compensation laws have been enforced in the United States. Before these laws were passed we knew very little about accident frequency or severity and had, therefore, no satisfactory way of estimating the toll in life, limb, health, and wasted social opportunity that was being taken.

It is a matter of surprise that these laws were passed as the employers were soundly intrenched behind common-law procedure and it was difficult indeed for an injured man to pass the common-law defenses—act of a fellow servant, assumption of risk, and contributory negligence—in order to have his case heard by a jury. The employers had grave misgivings of the effect of these laws and were skeptical indeed when it was suggested that an injured person or his dependents should receive compensation because he had been hurt, rather than as formerly because an employer had neglected to discharge a legal duty.

The first elective schedule to be adopted in this country was passed in New Jersey and by implication covered every employed person with certain exceptions such as casual, interstate, and maritime workers. The most that friends of these laws hoped to obtain by their passage was a prompt alleviation of distress due to accidents. That early benefits were small and inadequate need occasion no surprise, for employers thought they were surrendering great privileges when it was well known that at common law injured people were not very successful in lawsuits.

Attention Drawn to Accident Causes

But the elimination of common-law liability and the substitution of the present-day theory have done even more for the working group than merely giving injured people temporary relief through definite schedules of compensation payments and providing permanent benefits in certain types of cases.

The real service rendered has been due to the attention drawn to accident causes, with the result that some of the best engineering minds in American industry are convinced that accidents can be prevented by the introduction of safety programs based on a study of ascertained facts. The prevention feature is the one that has the greatest interest to me, for the very term "compensation" seems out of place and hardly justified under the circumstances. The thing the handicapped person gets or the dependent ones receive is so inadequate when measured against the loss sustained that the term used does not seem to cover the subject at all.

Do not mistake my meaning in making this statement, for a bird in the hand is worth two in the bush. A hungry man needs pennies, not sympathy. A jobless man needs work, not a discussion on the present state of employment. The payment of high wages in a fortunate industry "butters no parsnips" for an untrained woman worker employed in a calling subject to slavish and debilitating competition. If minimum wage laws will help that dependent creature by adding one drop to her cup of happiness I am for that kind of legislation.

What the injured worker needs at the moment of his trouble when his little world has been disrupted and his house pulled down

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on his unfortunate head is prompt and adequate relief, and then rehabilitation that will, in some measure at least, preserve his self-respect, bolster his failing courage, and save him from the humiliation of becoming a victim of either public or private charity.

Accidents Can Be Prevented

But grant that we do this much for the injured man, still it is not enough. The aching hearts, the maimed bodies, and the destroyed hopes of our injured army are a standing indictment to the absence of adequate and effective programs that so far have marked our efforts to stem the tide of industrial accidents. This is deplorable, too, because enough has been done in spots to prove that a very large percentage of all accidents can be prevented if proper measures are used.

Now, who is to blame for our complete lack of success in the industral-accident field? Shall we say the employer? Can it be the worker himself? Are State officials, smugly satisfied with bureaucratic efforts, the ones to slap? It is always very easy to blame trouble on our neighbor. In Russia at one time pogroms were encouraged as measures of relief for nationalistic troubles. In America hard times were at one time chargeable to political parties which tinkered with the tariff. Formerly, many great plagues were blamed upon Providence because it was thought they were punishments for a sinful people. Well, it is to our credit that we do not use that line of reasoning so much as we did. We know better now, and when we study a problem we attempt to base our judgments upon ascertained facts.

At the outset of this feature of the discussion I would suggest that experience seems to show that the employer and the man on the job have not had a satisfactory meeting of minds on the subject of accident prevention, and that complete success will not attend our efforts until this has been done. In the first instance, the employer is responsible for the selection, training, and supervision of the man's work. Safety of operation is a feature of production. If the boss recognizes this point, he is doing his part. If he does not, he is guilty of moral misconduct, for more real responsibility for the avoidance of accidents rests upon him than upon any other person. In the next instance the man, and he is the one who should be most concerned, but often is not, has a decisive part to play in obedience, thoughtfulness, and cooperation. If he steps out of the picture, nothing can prevent accidents, and, therefore, it is a matter of utmost importance that he shall be educated, trained, supervised, and convinced of the value of accident-prevention work. Lastly the State should do its part by coordinating all the interested forces in the Commonwealth, adopting safety codes based on sound engineering practices, conducting intensive campaigns of safety education, and keeping everlastingly at it every single working-day of the year.

A Specific Program Should Be Adopted

Now let us become less general about the State's responsibility and indicate some of the things it can do. In the first instance the

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State should encourage every plant, large and small, to become a part of the National Safety Council. Local safety councils should be organized in every industrial center and training courses on safety given. The insurance carriers should be urged to give their engineering bureaus more resources, latitude, and freedom in serving their risks, for excellent prevention work can be done and often is done by the service bureaus of casualty carriers. Some of them at least recognize that prevented accidents may mean the difference between a profit or a loss on an assured. Safety education should be made a feature in our public schools and children taught to cultivate the theory that reckless, careless habits of thought or action are a menace and a detriment to the community, and no individual has a right to jeopardize the personal security of another.

While these are a few of the steps that may be taken in the right direction you may say that they are not new and they have been given expression before. Well what of that! There is nothing so very new about the Ten Commandments but I know you will all admit that a great deal can be done toward popularizing their practice. Safety procedure in its most effective form is well understood by engineering experts. The great problem that confronts us is how to reach and convince those masses of people who have as yet given no consideration to it. Let us stress the importance of the work and not give so much attention to the brilliant rehabilitation efforts that are made after injuries occur, for I am not nearly so impressed with the attempts that are made to neutralize the effects of accidents as I am by the tragic consequences that still form an inseparable part of nearly all of them.

The Adoption of Safety Codes

In States where code work is enforced strictly, arguments are often advanced that employers are pressed too hard and compelled to spend money that in other States could be saved. While I question the logic of this objection to the enforcement of a code, it often carries weight even though we know that experience has shown that the best guarded plant and the most carefully operated plant is the one that makes a profit. I am of the opinion that these standards are far superior to any that could be compiled by an individual State. It is for this reason that I have been interested from the first in the development of uniform standards.

Labor departments with standards of practice based on the experience of industry as a whole are sure to have a higher rating in the estimation of plant managers than those that are more inclined to favor haphazard methods. While factory inspection methods have improved since labor departments were first created, there is still an opportunity for betterment in this class of service. A delegate has informed us that in his State when the department of labor was organized many years ago, factory inspectors were regarded as something of a nuisance. I think that has been the experience of enforcement officers in every State. The nuisance period was succeeded by the police age when the principal function of a factory inspector was to ferret out violations of law and bring actions for penalties against employers. The more penalties collected the greater was supposed to be the efficiency of the depart-

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ment. This period was succeeded by the messenger age when factory inspectors were regarded in the light of messenger boys to fetch and carry and make formal reports that were often filed away and never had any serious influence on safety work. In our day the factory inspector is a salesman, rather than a policeman, who is selling safety thought to the industries committed to his care. He should be, and often is, a technician, a consultant, and an adviser whose opinion is worthwhile and is eagerly sought by plant managers who are in earnest about accident-prevention work. When factory inspectors have been clothed with this dignity and power and they really represent in the spirit and the flesh an enlightened and a thoughtful departmental program, they cease to be a nuisance and they become valuable safety factors in industry. The adoption of uniform safety codes will undoubtedly be a great help to this type of public official.

DISCUSSION

Doctor Andrews. I feel that one of the most important things before us is the making of a code on ventilation.

Mr. Stewart. Speaking of ventilation and sanitation codes, in the city of Philadelphia—a good many years ago, of course—the council passed an ordinance making it a crime to build a bathtub in a private dwelling house without a special prescription of a physician. I do not know whether they repealed that ordinance or not, but I know that anyone putting in a bathtub without the prescription of a physician was guilty of a felony.

Mr. Gernon. It is not easy to make a proper ventilation code. In New York we have been about 15 years trying to make a satisfactory ventilation code. The trouble with most codes is that they contain too much language and the employer and the employee fail to understand them. Therefore, we must instruct the employer as well as the inspector as to the requirements of the code. Many times code rules are too involved to be properly understood or interpreted, the simpler the requirements of the code the better.

It is one thing to make a code, another to enforce it. No matter how satisfactory the code is, there is difficulty in making the person responsible for compliance see the necessity of its provisions.

If anything is important it is ventilation in mercantile and manufacturing establishments.

In the enforcement of the codes the inspectors must necessarily have the ability of salesmen, and the department of labor must educate them, for it requires skill to secure compliance with the provisions of the codes. In the majority of cases the inspectors secure excellent results. We have numerous cases where the owner welcomes the information and advice of the inspector. Many employers are willing to do the things the inspectors require as a compliance with the law or rules and will be perfectly willing to ventilate their places properly when standards are fixed in the code.

However, I feel that most of our trouble comes from the fact that our codes are too complicated, and are not easily understood; it is therefore, difficult to properly follow their requirements.

[Meeting adjourned.]

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THURSDAY, MAY 22—EVENING SESSION

Mary Anderson, Director United States Women's Bureau, Presiding

ADMINISTRATION OF LABOR LAWS FOR WOMEN AND CHILDREN

Chairman ANDERSON. You who are interested in the administration of labor laws as regard inspection for safety have a way of knowing whether or not the law is complied with—and you must derive a certain amount of satisfaction from that—while with the 8, 9, and 10 hour laws for women there is no way of telling when and to what extent the law has been violated. In your inspection you may order a guard placed on a machine and when you return you can see whether or not your order has been adhered to, while with us there is no way to check back. The same applies to child labor.

With regard to labor laws you can measure your success upon the compliance with your orders, while with woman and child labor laws we never know to what extent we have been successful. There is a great deal of difference, and I hope that after the speakers are through there will be a great deal of discussion.

I wish to present at this time the first speaker of the evening, Mr. Edward F. Seiller.

Problems Confronting an Inspector

By EDWARD F. SEILLER, Chief Labor Inspector, Louisville, Ky.

The employment of women in industry has increased during the last 20 years and is still increasing. Women in gainful occupations are constantly assuming a more important position in the economic and industrial fields, and this increase in the gainful employment of women has been accompanied by more liberal labor legislation and more protective laws applying to women.

Because of the ever-increasing strain of industrial life, the intensive workday, the intricacies of operations required of telephone exchange workers and workers in clothing factories, textile mills, and other industries that employ large numbers of women, the question of protective legislation has become a problem of paramount importance.

Legislation of some sort concerning the employment of women in industry has been enacted in every State of the Union except Florida, and there are only four States (Alabama, Florida, Iowa, and West Virginia) that do not have some sort of law regulating the hours of work for women. All the other States have either definitely forbidden the employment of women for more than a certain number of hours, or have penalized the employment of women beyond certain hours by providing that such work must be paid for at an

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increased rate. Most of the States have various other regulatory measures for woman workers such as prohibited employments, minimum wage laws, supervision of home work, and other similar protective laws.

It can be clearly seen from this résumé of the State laws concerned with women in industry, that this problem is one of the most recurrent and important that confronts the inspector, and one that develops so many difficulties to perplex and restrict him in the performance of his duty

The Kentucky woman's law is one that falls in the middle column with the majority of States that provide a 10-hour workday for women. Its chief provisions are that no woman shall work more than 10 hours in any one day nor more than 60 hours a week, the only exceptions being domestic service and nursing. The law further requires that seats shall be provided in workrooms; suitable wash rooms and toilets and dressing rooms shall be installed when the nature of the work is such as to require any change in the workers' clothes. Every person, firm, or corporation employing females is required to keep a time book in which shall be correctly recorded the name of each female employee and the number of hours she is employed each day. It is also required that a copy of this act must be conspicuously posted in each workroom where females are employed. Penalties are provided for the violation of the provisions of the act.

In its general scope, the Kentucky woman's law seems broad enough to cover any contingency that may arise. In practice it has been found narrow, lacking in flexibility and specific detail. The law fails to set up standards necessary for its efficient application.

One of the main problems that confront the inspector in the enforcement of laws regulating the employment of women is a personal one. Often the personality of the inspector is not well adapted to the sometimes delicate task of tactful management of such violations.

If we were to catalogue the personal qualifications of a perfect inspector, we should find it necessary to endow him or her with some of the following attainments:

The inspector should have, first of all, a thorough knowledge of the law that he is enforcing and should be able to present to the offending employer the various aspects of the law in a way that will not antagonize the employer. The experience of Kentucky inspectors, which may be safely assumed to reflect the universal attitude, for fundamental human reactions are similar whether the stimulus is applied in Louisville or Luzon, indicates that an aggressive approach is not the most effective way to bring about the desired end.

Experience dictates that the arrogant approach which makes the problem a personal one, the use of the personal pronoun as in, "I demand that the law be complied with," is scarcely the way to bring about an amicable solution of the problem.

An indirect reference to the law and its provisions and an impersonal attitude of the inspector, in the aspect of an unbiased agent who is charged with the duty of interpreting the law to the layman who has through ignorance broken one of its provisions, seems to be the most satisfactory method of bringing the facts to the employer.

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The foregoing may seem to indicate that the inspector should be a wishy-washy sort of automaton who only spouts legal phrases in a weak voice. These qualities should be mixed, judiciously, with tact and diplomacy as well as a certain amount of firmness.

The inspectors should have sufficient discernment to discover when a wily employer is using a meretricious argument to bolster up his defense. He may cry that his competitors have forced him into violating the law, complain that others are being excepted, or that the violation is an occasional one that should not be construed as a deliberate, long-continued violation. Discrimination is, in this, as in all matters of human adjustment, vitally necessary.

A little experience will indicate the stock arguments that will be used by the ordinary run of employers who are detected in a violation of such a law, and, with a little preparation, the inspector can prime himself to refute such arguments, which are usually based on the flimsiest of premises.

The inspector has need of other qualities besides judgment and information about the law he is enforcing and the other relevant matters that have been touched upon. And the most important of these is a hawk eye and a trained faculty for minute observation. The inspector should also be an adept in the questioning of witnesses, in making workers, frightened by the economic lash that the employer holds over them, give details or testimony regarding the violation. Lynx-eyed alertness is perhaps the most indispensable quality of the inspector in establishing a case.

Perhaps the most essential need for the inspector is an adequate law. Most of the State laws, except in the ultraprogressive States, are somewhat antiquated, restrictive, vague, or ambiguous. Too much is left to the discretion of the courts, the judgment of the employer, or delegated to other incompetent authorities.

The failure of the law to give a clear exposition of its scope and authority is illustrated by the Kentucky woman's law. For example, the section that provides for wash rooms and closets is couched in these words: "Every person, firm, or corporation employing females shall provide suitable and proper wash rooms and water-closets."

Such ambiguous phrasing, subject to diverse interpretations, can only lead to confusion and conflicting decisions by the courts. Under the present status, the enforcement of the law depends in large measure on the decision of the courts instead of resting upon some responsible and competent authority who could determine, without equivocation, what constitutes "suitable and proper."

The amount of confusion, costly litigation, and loss of time brought about by such defective law is demonstrated by a case in Kentucky, now pending before the court of appeals. The facts of this case follow: The first inspection of the premises in question, July, 1926, revealed that the employer had 2 white women, 16 colored women, and 5 men, engaged in the operation of a laundry. The only toilet in the building was described as "A very unsanitary open toilet, unscreened, and with large cracks between the rough boards of the walls." The inspectors, who collaborated with the city health inspectors in the investigation, declared the toilet "Unsatisfactory," although the employer contended that the male employees used the sanitary facilities of an adjacent building. A warrant was issued

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and the employer haled to a magistrates' court, where the defendant was found guilty as charged. The defendant was instructed to comply with the orders of the labor department because the court held the toilet facilities were not "suitable and proper." The defendant declined to conform to the orders of the court, pending appeal of his care.

Next, the case was tried before a jury and this trial resulted in the same verdict and the defendant was again fined $50 and costs. The defendant appealed the case, this time to the Kentucky Court of Appeals, which sustained the fine and the decision, but did not write an opinion on the case.

Several months passed, and another inspection of the premises was ordered. It was found that no effort had been made to comply with the law and another warrant was issued through a magisterial court. Another guilty verdict was rendered by the court, then the weary round of guilty decisions and appeals was begun over again, when the decision of the magistrate was appealed. A jury in the criminal court returned a verdict for the State and the case is now pending for the second time in the court of appeals. A decision is momentarily expected.

All along, the defendant in this case insisted that he was complying with the letter of the law. The toilet provided for the female workers and characterized by city health officials as well as the labor department investigators as unsanitary and inadequate, he insists is "suitable and proper." He maintains that the toilet is there for the use of women and is not used by the male employees.

As it happened, the courts sustained the labor department in their contention in this case. But no standard has been set up, no line of demarcation which stipulates in unquestionable terms what is suitable and proper and what is convenient. The waste of time and effort spent on this case is a strong indictment of inefficient policies in drafting and enactment of labor legislation. There is no guaranty that the courts will follow any consistent line of conduct in determining what is "suitable and proper."

Many unsatisfactory, unsanitary conditions could be eliminated if the wording of the law were modified or made more flexible in application to future conditions that might arise, or more specific in its details. In order to assure adequate sanitary facilities for women, the law should either be more exact or the power to promulgate necessary regulations should be vested in some board or commission which would declare and define the necessary standards; fix ratios by which a certain number of workers of each sex would be provided with a toilet; stipulate that the toilet must be conveniently located and declare in unquestionable language what a convenient location is; and explain in detail all the requirements so that there could be no dispute about it by any of the parties concerned—employer, employee, or enforcement officials.

Although the Kentucky law has recognized the injurious effects on woman workers of continuous standing, a survey conducted by the Women's Bureau of the United States Department of Labor in 1921 revealed some glaring inconsistencies in the present law.

The law stipulates that "every person, firm, or corporation that employs females shall provide seats for their use in the room where

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they work and shall maintain and keep them there, and shall permit the use of such by them when not engaged in the active duties for which they are employed. In stores and mercantile establishments at least one seat shall be provided for every three females employed."

The evasions of the law through the clause, "when not engaged in the active duties for which they are employed," indicate the need for definite and specific detail in the law. For it is quite possible for a store or factory to live up to the letter of the law and yet fail to provide its woman workers with seating facilities or the opportunity to use them. The employer finds it simple to arrange the duties of a woman employee so that the worker is always engaged in the active duties for which she is employed. If the law is intended to afford protection to all female wage earners, employers, employees, and labor inspectors should have some definite, required standard that is unquestionably established.

The vigilance of the labor department inspectors and the cooperation that has been given to this department by the various public bodies has not sufficed to stamp out violations of this law which is so lax in its generalizations.

Another defect in the woman's law in Kentucky is the difficulty of establishing proof of violations that will be admissible as evidence. The law in Kentucky requires that employers of women shall keep a time book, but does not specify what kind of time book shall be used nor any standardized method of keeping account of the working hours of women. Since the law was drafted, timekeeping methods have changed. Time-clock systems of several varying types have been installed in many of the large and even the small stores, factories, and workshops. It has become a part of the labor department's policy to waive the requirement for a time book, because a time book could be so easily altered or changed to comply with the law.

The time-clock records are, however, not such indisputable evidence as one would imagine them to be. In cases of illegal employment the employees are sometimes instructed not to punch in on their overtime work. In other instances the employees do not punch out for their rest or lunch periods, which further complicates an already involved problem.

The same defect in law and similar difficulties in enforcement face the inspector in the application of the child labor law. For instance, section 1 of the Kentucky child labor law reads:

> Nor shall any child under 14 years of age be permitted to perform in or appear upon the stage of any theater, motion-picture establishment, or other place of public amusement, whether for pay or not: *Provided, however*, That nothing in this act shall prevent a child under 16 years of age from being employed to perform or from performing in a duly licensed theater if such child is not an inhabitant or resident of the Commonwealth of Kentucky and at the time of such performance is accompanied by or in the custody, care, or control of a parent, guardian, governess, teacher, or some other adult custodian who remains in the wings or behind the curtain or scenery in such theater during the performance of such child and accompanies such child to and from the theater to the child's place of abode while performing at such theater.

Such a clause is nothing more nor less than discrimination against the child actors or performers of this State, and this fact has often been pointed out when a child in the custody of his parent has been

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barred by labor department inspectors from taking part in some stage presentation or public contest of one sort or another.

Another flaw in the provisions of the child labor law was discovered after a long and bitterly contested court fight. A certain newspaper vender was arrested in 1925 on a warrant charging him with violation of the street-trades section of the law. The facts of the violation were set forth in the warrant as follows:

About 11.30 o'clock on the morning of November 26, 1924, Lipginski (the vendor) knowing that one Barnard Cecil, a boy between 14 and 16 years of age, did not have the badge required by the statutes (street-trades section of the child labor law), furnished him newspapers to be sold on the streets of Louisville, and knew that Cecil was going to sell the papers in violation of the law; that the public schools were in session at this time and Cecil was not licensed to engage in a street occupation during school hours.

A hearing was held before a magistrate and Lipginski was found guilty and fined. The defendant then appealed to the district circuit court and a general demurrer was interposed to the warrant on the ground that no public offense was charged. It was claimed that the boy to whom the newspapers were delivered to be sold was over the age of 14 and between the ages of 14 and 16, although he had no permit and wore no badge or button indicating his authority to engage in a street occupation as required by law.

The specific point of difference was raised in the language of the following two sentences of the statutes. The first sentence reads:

No boy under 14 years of age shall be employed, permitted, or suffered to work at any time in any city of the first, second, or third class in or in connection with the occupation of peddling, bootblacking, distribution or sale of newspapers, magazines, periodicals, or circulars, nor in any other occupation pursued in any street or public place.

The second sentence reads:

No boy between 14 and 16 years of age shall be employed, permitted, or suffered to work in any city of the first, second, or third class in connection with a street occupation of peddling, bootblacking, distribution or sale of magazines, periodicals, or circulars nor in any other occupation pursued in any public place except upon the following conditions: [The exceptions mentioned are educational activities.]

The circuit court sustained the demurrer to the warrant, holding that the statute did not apply to the sale of newspapers. The Commonwealth took exception and appealed to the court of appeals.

The Commonwealth argued that the word "'newspapers' employed in the first sentence was, by inadvertence, oversight, and mistake by the draftsman, omitted from the second sentence of the act," and maintained that the court should read the statutes according to the intention which the General Assembly must have had when it made the law; that the omission of the word "newspapers" was termed "causus omissus."

The decision of the court of appeals was based on the act, however, not the intention of the lawmakers and the court held that the "sale of newspapers was not intended or intended to be included in the inhibition."

The laxness in the drafting or proofreading of this law, and the subsequent court action, nullified the entire section regulating the employment of children engaged in the street trade of selling newspapers.

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In spite of a favorable public opinion and the activities of various civic organizations concerned with social welfare legislation and its enforcement, it has been virtually impossible rigidly to enforce the section of the law relating to street trades.

The attitude of the general public as reflected by court attachés and judges often is a potent help in enforcing the law or an insuperable stumbling block. If the magistrates or other public officers charged with issuing warrants against violators refuse to act, or if, after the offender has been haled into court, the judge is indifferent to the social aspects of the case and thinks only in narrow terms of his fellow citizens' private affairs, or, if the State's attorney or other official charged with the prosecution is lax in pushing the case, summoning witnesses, preparation of the case, or in other ways, a satisfactory solution of the problem is almost impossible to achieve.

Public opinion in the large cities supports the efforts of labor departments in the enforcement of such protective laws, but in the smaller cities and town of the States, the inspector who investigates an alleged violation must proceed warily, for such investigations are often looked upon as unwarranted intrusions upon the privacy of the employer and a restriction of the personal liberty of the worker.

These are some of the tangled threads that trip the inspector seeking to enforce the woman's laws and other laws in this State. Others arise with each case and the personality of the offender.

What can be done to eliminate these pitfalls? Perhaps the prime requisite is the selection of a trained, alert, and vigorous staff with the technical training necessary for this type of work. It follows that some provision to pay salaries that will attract such technicians is necessary.

A foolproof law, drafted after a study of the local conditions and embodying the best principles of social science and labor welfare legislation adapted to the need of labor in industry, is another requisite that should be considered as fundamental—a law that is neither too restrictive nor too inclusive to be unwieldy but one that is flexible and adaptable to the needs of the situation as they arise.

The third need is education, the education of the public to know the law so that the workers know their rights and the employers theirs; the formation and crystallization of a public opinion in favor of the law that will make the outlaw a social pariah, opposed to the general good.

If those three millennial projects could be encompassed many of the difficulties of the inspector enforcing the law for the protection of workers would melt away like the morning mist in the sun.

Reasons for Labor Laws Protecting Women and Children

By Frieda S. Miller, Director New York Bureau of Women in Industry

It seems to me that this is a question with which all of us, in whatever capacity we may be called upon to function in a department of labor, are faced in one way or another. If we examine the different types of legislation that a labor department is called upon to enforce, they do seem to divide into distinct groups, yet I doubt if we could

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get up much of an argument showing in what fundamental way they are separate.

In our handling of the group of labor laws which has as its object the protection of woman and child workers I believe that one of our chief aims should be to educate our clients, the employers; they must be made to realize that it is to their benefit and that of their State that their woman and child employees work under healthy and safe conditions. We all know that the employers of our various States have not yet come altogether to realize this. And it is one of the important functions of a department of labor to educate them on these points. But what specific arguments can we use in bringing this about? Fundamentally, the same as those used in the early discussions of compensation. The industrial worker was not able alone to bring out the justice of his cause and the same applies to the woman; she is not able as an individual to bargain for favorable terms and hours with her employer or to assure for herself safe and healthy working conditions, and it is to the interest of her State to regulate these for the sake of its own future well-being.

The actual matters that call for regulation are therefore those which would affect the conditions just mentioned—safety, health, and the wage bargain. Among the health items regulation of hours has long been considered of foremost importance. Yet even here many questions are still a matter of controversy. Such, for example, in New York State, is the question of overtime. It had been the contention of certain manufacturers that at certain seasons and under certain conditions they could not get out their product and at the same time keep within the regular scheduled working hours. In order to produce, they claimed, overtime was necessary. In order to meet this situation the 1927 amendment to the hours law carried a provision permitting any woman to work 78 hours of overtime annually and fixing the daily limit, including overtime, at 10 hours. The Bureau of Women in Industry was naturally interested in ascertaining what use actually was made of this provision. It therefore undertook to make a study of the actual overtime records of a group of establishments throughout the State which sent to the Department of Labor notice of their intention to use overtime. The records of 126 firms—78 factories and 48 mercantile establishments—employing about 10,000 women and using a considerable amount of overtime during the first nine months of 1929, were finally analyzed. Of the 78 factories, 46 used overtime during their busy seasons; of the 48 mercantile establishments, only 7. Only three factories and one store used overtime to meet emergencies. The most frequent use of overtime as reported by a third of the factories and five-sixths of the stores—64 firms in all—was to lengthen regular working hours. An addition of an hour and a half to each regular working week, or of 18 minutes to each working-day was frequently reported. This, of course, was not the purpose for which the amendment was sought, but was quite contrary thereto. It would seem to indicate, first, that the need of overtime for busy seasons or emergencies is not so widespread as had been claimed; second, that the legal limitation placed upon daily and weekly hours is, in many instances, the really effective limitation placed upon working time, since the full amount permitted as overtime was deliberately added to regular hours. This is the

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more significant in view of the fact that our hours laws do not apply to such large groups of woman workers as, for example, beauty-parlor operators, telephone and telegraph operators, cleaning women, and hotel workers.

Reasons for labor laws protecting children can be most effectively sought in a study of conditions under which employed children must carry on their occupations. If the type of work that growing children are called upon to do, the conditions under which they do it, the hours for which they are occupied are such as actually to impair the child's chances of a healthy manhood or womanhood, certainly a reason for State regulation to prevent such an outcome is established. Sometime ago the Bureau of Women in Industry sought to ascertain the effect of their actual working conditions upon the health of a group of continuation-school children in New York City. A special effort was made to ascertain what proportion of the children's physical defects were being accentuated by work. Where a child with poor eyesight and weak posture had a job requiring no close work and no posture strain, although the job necessitated long hours of work in a badly ventilated room, no correlation was found. Where a child with marked scoliosis, or lateral curvature of the spine, had a job requiring him to stand all day, a definite relation between the physical finding and the work conditions was said to exist, and it was concluded that a continuance of this type of work would tend to increase the posture defect. These findings when relating to the future effect must, of course, be regarded as speculative.

Nine hundred and twenty-two defects were found among the 412 children examined, and 260, or 28 per cent, of these defects were considered to be accentuated by some condition of work. The defects found were bad posture, flat feet, low strength, hernia, defective eyesight, conditions of the heart or lungs, and nervous overstrain.

Of the 412 children, 18 had no physical defects, 99 had minor defects requiring hygienic regulation and diet, 179 had moderate defects requiring minor medical care as well as hygienic supervision, 95 had more serious conditions causing temporary or partial incapacity, but capable of cure by treatment, 16 had organic disease or physical impairment capable of mitigation by supervision and treatment, and 7 had such serious organic lesions as to require immediate medical treatment and probable cessation from work.

Ninety per cent of the boys with bad posture, and 80 per cent of the girls, had a work condition accentuating their weakness. The condition of 73 per cent of the boys and a third of the girls with flat feet was aggravated by their work. Over two-thirds of the boys with low strength and one-fifth of the girls were unsatisfactorily employed in jobs that were too heavy for them. Six of the seven boys with hernia were improperly placed. In over one-fourth of the cases of defective vision among girls and one-fifth among boys, the conditions of work were considered to intensify the defect. The hearts of 17 children were affected, 4 of the 5 boys and 6 of the 12 girls were placed on work that would intensify their condition. The lungs of 11 children were affected and 3 of the 8 girls were employed where the work conditions intensified their physical defect. Twenty-eight children were suffering from nervous overstrain and

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seven of the eight girls were improperly placed, but, with one exception, the boys had no irritating work conditions.

The work conditions which caused aggravation were too much standing or sitting, handling heavy loads, bad chairs, eyestrain, bad light, nerve strain, and bad ventilation. There were altogether 244 conditions of work which were found to accentuate physical defects.

Most of us have been faced, now and again, with the question, Do women and children who work really want the type of legislation designed to protect them against such situations as we have been discussing? Testimony on this point, unsought, spontaneous, poignant, comes to one only too often in the shape of letters asking why the hours law can not be applied here or a night-work prohibition there, or children protected against still another type of situation. Such letters keep coming continuously. Let me read you only one which came early this month and was addressed "To Someone with Influence."

This will be like a small, plaintive cry in a wilderness of noise. It will be drowned under the stronger voices of our employers. But if you can effect this no more than 8-hour day for us, six days a week—us being merely the bookkeepers of our many Woolworth stores—you will be doing something like what Lincoln did for the slaves, give them a little freedom.

If you could see us working in a cage without any windows until 6 every day, through an interminable Saturday till 10 o'clock at night, getting home about 11.30 to sleep, drunk with exhaustion and lack of air and sunlight, through a beautiful Sunday morning, but still looking forward to that one small, small day which we treasure more than a miser his gold, you would somehow see that getting a few more hours of freedom for us would be a benediction.

Think of being able to have a little more time to look around and see what the world is made of.

This is only one little plea, but it is the echo of a thousand voices that have not the courage to raise themselves in unison, in a strong chorus of protest at being such inevitable, ridiculous slaves to mammon.

DISCUSSION

General SWEETSER. Is it not true that children have to pass a physical examination before they get a certificate from school?

Miss MILLER. Yes; but a few minor defects do not keep them from getting a certificate. A lot of these defects would not keep them from working, but these conditions aggravate their defects—like hernia and curvature. As a matter of fact we need more school doctors.

General SWEETSER. It seems that a good line of attack would be to get after school doctors.

[General Sweetser, referring to the paper read by Mr. Seiller, said he thought it would be a paying proposition to keep bringing the violator into court six days a week and charge him $50 each time.

Mr. Gernon said that the Kentucky law in that case is better than New York's law.]

Mrs. SUMMERS. We must do a bit of bluffing to get laws over. Often we enforce a law that does not even have a penalty. No one knows they haven't a penalty because I don't tell them. Get behind a law and put it over. It depends entirely upon the interpretation. A lawyer can turn a law into anything.

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Mr. STEWART. The power to bluff is not to be sneezed at. Mrs. Summers has been trying to find out what the employer couldn't do rather than find out what he could do. I don't believe the situation in Kentucky is as bad as it seems to be.

Miss BROWN (Kentucky). After finding employees working 12½, 13, and 14 hours in the Schulte stores and endeavoring to do something for them, they came into court and testified that they enjoyed spending this number of hours around the store because of the comforts and conveniences. The manager claimed also that the new manager had not been informed of the rules governing hours.

Doctor PATTON. From my point of view, bluffing is dangerous business. When they find out you have been bluffing they are hard to manage. In regard to Mr. Seiller's predicament—I believe some code should be set up so that when a violator is brought into court he can point out that they have not lived up to this code. There is a great difference between convincing a jury of the violation of a statute couched necessarily in general terms and in convincing an employer that he is not complying with the specific, definite, detailed provisions of an industrial code. In this particular case Mr. Seiller had to convince a jury that the water-closets in question were not "suitable and proper." In order to do this he had to convince each of the individual jurors having necessarily different ideas as to sanitation, convenience, and other matters. If, however, he could have gone to the proprietor and pointed out to him that the water-closets in his establishment did not comply either in number, arrangement, location, sanitary arrangements, or with other provisions of the code, it would have been much easier to secure compliance. In other words, the code is an interpretation of the meaning of the law and as such prevents the necessity of securing a uniform interpretation as to the meaning of the law by the jury.

Mr. BALLANTYNE. I believe that custom and practice are better than law itself. Mrs. Summers uses a practical and psychological way. In Canada we try to keep our laws 100 per cent. We have the highest respect for women and children.

[Meeting adjourned.]

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FRIDAY, MAY 23—MORNING SESSION

James H. H. Ballantyne, Deputy Minister Ontario Department of Labor, Presiding

TRENDS OF PROBLEMS IN INDUSTRY

Methods of Adjusting Industrial Disputes in Canada

By F. J. PLANT, Chief Labor Intelligence Branch, Ontario Department of Labor

With a view to indicating the methods employed in the Dominion of Canada in the settlement of labor disputes I wish to mention, first, that we have a conciliation act which is administered by the Federal Department of Labor, and which has been on the statute books for nigh on to 30 years. Through its machinery a large number of disputes have been from time to time satisfactorily adjusted by a representative or representatives of the Department of Labor, the number for the fiscal year ended March 31, 1930, being 28 out of 32 disputes in which the Government mediators had taken part. While this law for the settlement of industrial disputes had been and still is of value, it does not prevent a strike occurring before a conciliator has endeavored to effect a settlement. Consequently in 1906 there was a prolonged strike in the coal mines of Lethbridge, Alberta, which had threatened to cause a fuel famine in the prairie Provinces of the Dominion. Negotiations resulting in a settlement of the strike were conducted by Mr. W. L. Mackenzie King, then deputy minister of labor and now Prime Minister of Canada, who, in his report on the subject, dealt at length with the danger and loss to the country ensuing from such stoppages and recommended that consideration be given by Parliament to industrial-disputes legislation which would have as its dominant motive the prevention of strikes seriously menacing the public safety. The outcome of this suggestion was the enactment of the industrial disputes investigation act, 1907, the intent of which is more fully set forth in its complete title "An act to aid in the prevention and settlement of strikes and lockouts in mines and industries connected with public utilities" and which became law on March 22, 1907.

The essence of the legislation is the provision that in disputes arising in mines and public utility industries no strike or lockout may be lawfully declared until after the subject of the dispute in question has been investigated by a board of conciliation and investigation and every reasonable effort has been made to bring the parties concerned to an agreement. The act does not forbid strikes or lockouts failing an ultimate agreement, but forbids them only pending inquiry before a board. The award of a board is not binding unless the parties agree to make it so. At least 30 days' notice must be given by employers and employees regarding an intended

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or desired change affecting wages or working conditions, and the act prescribes further that, in the case of a dispute arising, any such contemplated change may not take place until the dispute has been finally dealt with by a board.

Penalties are named in the statute for employers causing a lockout or change in wages or hours, and for employees engaging in a strike, prior to board proceedings; also for persons who incite, encourage, or aid those taking part in such strikes or lockouts. While the act applies equally to strikes and lockouts, it may be remarked that the lockout is rarely encountered in Canada, though it is true that here and there in an industrial dispute the nature of a stoppage of work becomes sometimes confused and it is difficult to determine whether it may be correctly attributed to either the one cause or the other. An admitted lockout is practically unknown.

Validity of the Act

The constitutionality of the industrial disputes investigation act has been the subject of judicial proceedings on two occasions.

In 1911, in connection with a board constituted under its provisions to deal with a dispute between the Montreal Street Railway Co. and certain of its employees, a permanent injunction was obtained restraining the board from proceeding with its inquiry by reason of an alleged technical defect in the establishment of the board. The judges of both the superior court and the court of review of the Montreal district, however, declared the act to be constitutional and intra vires of the Dominion Parliament.

In August, 1923, proceedings concerning the constitutionality of the industrial disputes investigation act were instituted in the Ontario courts by the Toronto Electric Commissioners, who refused to recognize the authority of a board of conciliation and investigation established to deal with a dispute between the commissioners in question and their electrical workers. The commissioners contended that, as the Toronto Hydro-Electric System was controlled by a municipality, the provisions of the act could not be applied to the particular dispute; also that the statute invaded provincial rights and was unconstitutional. The case was heard by various Ontario courts, and was carried to the judicial committee of the Privy Council. The judgment of the latter was delivered on January 20, 1925, and was to the effect that the act in its then existing form was ultra vires of the Dominion Parliament on the ground that it encroached upon the rights given to the Provinces under the provisions of the British North America act. A volume was issued by the department of labor during 1925, containing a full account of the legal proceedings in this case and including the texts of the judgments of the various Ontario courts and of the judicial committee of the Privy Council, the cases for the several parties as presented before the judicial committee, the argument before the judicial committee, and other correlated data.

Scope of the Act

Following the decision of the judicial committee of the Privy Council, the question of constitutional limitation was carefully con-

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sidered and amendments to the industrial disputes investigation act were drafted with the object of confining the application of the statute to matters not within the exclusive legislative jurisdiction of any Province. The amendments were enacted at the 1925 parliamentary session and the statute accordingly remains applicable to industrial disputes in such enterprises as come clearly within the purview of the Dominion Parliament, these undertakings being enumerated in the amending measure as including works carried on in connection with navigation and shipping; lines of steam or other ships, railways, telegraphs, canals, ferries, and other works extending beyond any one Province; works operated by aliens; works declared to be for the general advantage of Canada or for the advantage of two or more of the Provinces; and works of any company incorporated by or under the authority of the Parliament of Canada. The application of the act is also defined as extending to any dispute which the governor in council may in apprehended national emergency declare to be subject to the provisions of the act, and to any dispute within the exclusive control of the Provinces which is brought within the scope of the Federal act by provincial legislation. The legislatures of six of the Provinces, namely, British Columbia, Saskatchewan, Alberta, Manitoba, New Brunswick, and Nova Scotia, have taken advantage of this latter provision of the industrial disputes investigation act and have enacted enabling legislation by which the terms of the Federal statute are made applicable to disputes of the classes named in the Dominion law and otherwise within the exclusive legislative jurisdiction of the Province.

Although the act applies directly only to disputes in the industries or trades specifically named therein, its machinery may be put into operation in the case of differences arising in any other industry or trade with the joint consent of the disputants. A few disputes of this nature are usually referred under the statute in the course of a year.

Machinery of the Act

The general administration of the act is placed under the Minister of Labor, and, since the enactment of the statute, the position of registrar of boards of conciliation and investigation has been held in conjunction with that of deputy minister of labor.

Boards of conciliation and investigation are established by the Minister of Labor, usually on an application from one of the parties to the dispute. The minister has power, if he deems it expedient, to constitute a board on his own initiative. A municipal authority may also apply for a board. An amendment passed at the 1925 session places clearly upon the party desiring a change in wages and hours the full responsibility, in the event of a dispute occurring, for making application for a board.

Application forms are supplied by the department on request; it is not necessary that application be made on these forms, but an application should be, in any event, accompanied by a statement setting forth (1) the parties to the dispute; (2) the nature and cause of the dispute, including any claims or demands made by either party upon the other, to which exception is taken; (3) an approximate

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estimate of the number of persons affected or likely to be affected by the dispute; and (4) the efforts made by the parties themselves to adjust the dispute. The law requires further that the application shall be accompanied by a statutory declaration setting forth that, failing an adjustment of the dispute or a reference thereof by the minister to a board, to the best of the knowledge and belief of the declarant a lockout or strike will be declared, and (except where the application is made by an employer in consequence of an intended change in wages or hours proposed by the said employer) that the necessary authority to declare such lockout or strike has been obtained. When, however, a dispute concerns employees in more than one Province, and such employees are members of a trades-union having a general committee authorized to carry on negotiations in disputes and so recognized by the employer, there is an alternative procedure, free from the necessity of obtaining authority to declare a strike, whereby a declaration may be made by certain union officials setting forth that, failing an adjustment of the dispute or reference thereof by the minister to a board, to the best of the knowledge and belief of the declarants a strike will be declared, that the dispute has been the subject of negotiations between the committee of the employees and the employer or that it has been impossible to secure conference or to enter into negotiations, that all efforts to obtain a satisfactory settlement have failed, and that there is no reasonable hope of securing a settlement by further effort or negotiations.

A board of conciliation and investigation consists of three members appointed by the Minister of Labor. One member may be recommended by each of the disputing parties and the third member, who is chairman, is secured if possible by joint recommendation of the two members first appointed. Failing a joint recommendation the chairman is selected and appointed by the minister. There is also provision for the selection and appointment by the minister of a member for either of the parties who fails or neglects to nominate a person for appointment as board member within five days after being requested by the minister to do so, or within such extension of that period as the minister may allow. Members of a board must be British subjects, though not necessarily residents of Canada.

On the constitution of a board the registrar forwards to the chairman the necessary documents and instructions. The sittings of the board are fixed as to time and place by the chairman and the proceedings conducted in public unless the board, of its own motion or by request of any of the parties to the dispute, directs that they be held in private. The board may at any time dismiss any matter referred to it which it deems frivolous or trivial; also it may, with the consent of the Minister of Labor, employ competent experts or assessors to examine the books or official reports of either party, and to advise upon any technical or other matter material to the investigation.

The act gives the board the requisite powers for taking evidence, etc., and provides for the remuneration and payment of expenses of board members and witnesses, and for all clerical assistance. Procedure under the statute is on simple lines, and in practice the effort has been to free the tribunal as far as possible from the formalities of a court of law.

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If the board by conciliation effort, brings the disputants together and a working agreement results, a copy of the memorandum of the settlement, with a report of the proceedings, is forwarded to the minister. If a settlement of the dispute is not reached during the course of its reference to a board, the board is required to report fully thereon and to make such recommendations as it sees fit for the settlement of the dispute. If the board deems it expedient the report shall state the period during which the proposed settlement shall continue in force and the date from which it shall commence. This report is sent to the registrar and, similarly, a minority report may be made by a dissenting member of the board. Copies of the reports and minority reports made by boards or members of boards are, in accordance with the requirements of the statute, furnished the parties to the dispute. All reports are also published, either verbatim or in summary form, in the Labor Gazette, the official monthly publication of the Department of Labor, and are given publicity in the press.

Railway Disputes

While the industrial disputes investigation act has since its inception applied to all classes of railway disputes, save only in certain rare cases where a dispute might affect a railway within the exclusive jurisdiction of a Province, certain classes of railway employees and the railway companies have established a tribunal through which many disputes have been adjusted, this body being known as Canadian Railway Board of Adjustment No. 1. This tribunal was voluntarily formed in August, 1918, by agreement between (*a*) Canadian railways being members of the Canadian Railway War Board, afterwards the Railway Association of Canada, and comprising practically all railways of importance in Canada, and (b) six trades-unions, namely, (1) Brotherhood of Locomotive Engineers, (2) Brotherhood of Locomotive Firemen and Enginemen, (3) Order of Railway Conductors, (4) Brotherhood of Railroad Trainmen, (5) Order of Railroad Telegraphers, and (6) Brotherhood of Maintenance of Way Employees.

A new agreement, executed on April 15, 1921, is effective until amended or terminated "upon service of 30 days' notice by the one party upon the other." The board consists of 12 members, 6 selected by the Railway Association of Canada and 6 by the executive officers of the organizations above named. Under the terms of the agreement, decisions of the board are binding. In the event of a majority vote of the members of the board not being obtained, provision is made for the unanimous choice of a referee, or, in case of failure to agree, for the appointment of a referee by the Federal Minister of Labor. However, all decisions so far rendered by the board have been unanimous. The board deals with all disputes between the respective railway managements and their employees, members of the unions above named, concerning the interpretation or application of wage schedules or agreements and which have not been settled by direct negotiations. Disputes arising out of the negotiation of new agreements as to wages and working conditions or amendments thereto are not, however, embraced within the jurisdiction of the Canadian Railway Board of Adjustment No. 1, and

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several disputes of this nature have, since the creation of the board, been referred to boards of conciliation and investigation under the terms of the industrial disputes investigation act. The Canadian Railway Board of Adjustment No. 1 also determines differences existing between railways and classes of employees not represented on the board, provided joint submission of the case is made to the board by the parties concerned.

A similar tribunal, the Canadian National Railways Employees' Board of Adjustment No. 2, was organized on September 1, 1925, by agreement between the Canadian National Railways and its clerks, station, baggage-room, and freight-shed employees, roundhouse, shop, and stores laborers (members of the Canadian Brotherhood of Railway Employees), for the purpose of disposing of grievances or disputes which might arise respecting the application, nonapplication, or interpretation of agreements as to wages or working conditions. All disputes arising out of proposed changes in rates of pay, rules, or working conditions are specifically excluded from the jurisdiction of the board. The board is composed of eight members, four of whom are selected by the railway management and four by the employees concerned. A majority vote of the full board is necessary for a decision, which is binding upon the parties; if no decision is reached, provision is made for the appointment of an arbitrator. The agreement is effective until canceled by 30 days' notice given at any time by either party to the other. In November, 1925, the scope of the board was enlarged to include additional classes, namely, dining, sleeping, and parlor car employees.

An agreement between the Railway Association of Canada and Division No. 4, Railway Employees' Department of the American Federation of Labor, governing rates of pay and rules of service for crafts in the locomotive and car departments of various Canadian railways, contains a provision that all grievances and disputes which can not be adjusted directly by the railway officials and the employees' representatives shall be jointly submitted in writing to the Railway Association of Canada and to Division No. 4, Railway Employees' Department, American Federation of Labor, "for adjudication or final disposition." This arrangement has been in operation for several years.

The railways and employees participating in the above-mentioned agreement are not exempted from the operation of the industrial disputes investigation act, but, since all the disputes going before these voluntary agencies for adjustment are settled, comparatively few disputes affecting the railway labor classes are now referred under the terms of this statute.

Twenty-three Years' Operation

The industrial disputes investigation act, as previously mentioned, became law on March 22, 1907, and had therefore been in operation for 23 years at the close of the fiscal year 1929–30.

During this period applications under its terms reached the total of 730. Boards of conciliation and investigation were granted in 500 cases, leaving 230 disputes which were either settled by other efforts than those of a board of conciliation and investigation or in which it was found that the machinery of the statute could not be

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utilized. Of the above-mentioned 500 disputes, in each of which it had been declared on oath that a strike or lockout was believed to be impending, a cessation of work was averted or ended in all save 38 cases. The number of applications for boards in the fiscal year above mentioned was 24; of these, 15 were granted and in each case a strike was averted.

The Province of Alberta has a labor disputes act which provides for boards of investigation and conciliation in labor disputes within the legislative jurisdiction of the Province and which are not covered by the provisions of the Federal industrial disputes investigation act. The appointment of boards of conciliation, constitution, procedure, functions, powers, etc., of boards are somewhat similar to those appointed under the Federal statute.

In Ontario there is a trades dispute act, designed to prevent interruption in industry, and which provides for mediation in labor disputes by a Government official and also for (1) councils of conciliation and (2) councils of arbitration, to which the parties to a dispute agree to have the matter submitted.

In Quebec there is also an act similar in its provisions to the Ontario statute, which, however, does not include municipal employees. For this class of workers there is a special law, the provisions of which prohibit strikes or lockouts until the matters in dispute have been submitted to a board of arbitration.

Age and Employability

By B. C. Seiple, Commissioner of Employment, Cleveland, Ohio

You have listened to many able addresses on various phases of industrial problems, such as safety, sanitation, compensation, etc., all of which have related directly to safeguarding and protecting those who have employment. It seems very fitting, therefore, that this concluding session should be devoted to a thought for those who are unemployed.

The question of " age and employability " is really only a by-product of the general problem of unemployment. I am, therefore, going to summarize briefly the unemployment problem in order to show the proper relationship to my subject.

The Unemployment Problem

The problem of recurrent periods of unemployment, and particularly the present problem, is the most important and serious question confronting our Nation and the world to-day. The tariff, the world court, the peace conference, flood control, farm relief, and all other major problems pale into insignificance when compared with this unemployment problem which strikes directly at the heart of our economic, social, and moral life. No one is immune. The cost of unemployment affects every individual and is therefore vital to our own personal happiness and prosperity.

Periodic Unemployment

Records of the past 50 years show that serious depressions have occurred with almost constant regularity, on an average of every

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three and one-half years. At such times people were generally much concerned, many addresses were delivered, magazine articles were written, and some more or less indefinite plans for immediate relief were worked out. However, we gradually came to look upon these periods of unemployment as "necessary evils" which must be endured. For the most part, recovery from these periods of depression was more or less complete and in the course of a few months every one was again employed and thus enabled to pay off old debts and accumulate some reserve with which to meet future depressions.

Seasonal Unemployment

The periodic unemployment which I have just referred to was bad enough and brought forth plenty of actual suffering among certain classes of our citizens, but for the past eight or nine years we have been confronted with a new phase of this problem, that of "seasonal unemployment."

You will recall that President Harding was elected on the slogan of "back to normalcy." General industry, in accordance with this slogan, attempted to go "back to normalcy," which meant to the general industrial set-up prevailing prior to the opening of the World War in 1914. At that time industry was generally engaged in manufacturing a standard product and therefore operated with a quite steady force of employees, filling orders as they were available and at other times storing the manufactured product on their warehouse shelves for future delivery as demand required. This, of course, meant steady employment for practically all of their employees. Under this slogan "back to normalcy" industry attempted to do the same thing in 1923 in spite of the warning of our Federal Reserve Board and other large financial organizations, the result being that during the first six months of 1923 more products were manufactured than there was immediate demand for, the excess being stored away in anticipation of future requirement.

Industrial leaders had not given proper consideration to the rapid changes, the newer inventions, and the ever-changing requirements of the general public. The result was that by the time the demand came for the product stored on the warehouse shelves, it was often found to be obsolete and had to be either remachined or entirely scrapped.

The loss to industry was tremendous and from this experience the standard product passed almost entirely out of existence. Since that time we have been producing on the "piecemeal" basis; when orders are received a large force is employed and these orders are filled and delivered as quickly as possible. When orders decrease, the working forces are promptly reduced until further orders are received.

What has this meant to the workingman? Instead of one steady job lasting throughout the year or longer, the workingman has been constantly faced with the problem of seeking a new connection every few weeks or months. It is not unusual for a skilled mechanic to work in eight or nine different plants in the course of a year. There is always loss of time, the result being that the average workingman to-day is able to be employed not more than 10½ months out of 12, even in times of high production.

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I think you will agree that it is a thrifty workman who will be able to save 10 per cent of his earnings at prevailing wages. Let us calculate for a moment. A man who saves 10 per cent of his monthly earnings over a period of nine months will spend all of his nine months' savings if unemployed for one month on the same basis of living. This leaves no reserve with which to meet emergencies or depressions. Under seasonal unemployment therefore, when depressions come, the workmen thrown out of employment are almost immediately forced to ask for some form of material assistance. With no reserve and practically no credit, their situation becomes immediately serious and each recurrent depression finds them less able to carry on until better times arrive.

It has been estimated on very good authority that if all the productive forces of this Nation, both man power and machinery, were steadily in operation for 9 months, we could produce all we could consume or sell under present conditions in 12 months. If this be true, it simply means that over a given period, either one-fourth of our forces must be idle all the time or all our forces inactive one-fourth of the time.

Chronic Unemployment

For the past five years it has been increasingly apparent that we do not need all of our available man power to meet the required amount of production. We therefore have drifted slowly but surely into chronic unemployment. During the earlier months of 1923 there was an actual shortage of all classes of labor and we found employers competing with each other for even common or unskilled help. In 1925 and 1926 this country produced considerably more than in 1923, and yet there was at no time a shortage of semiskilled and unskilled labor.

During the first nine months of 1929, this Nation produced more product than in any equal period in the Nation's history. Yet, during all of that nine months' period there was an excess of semiskilled and common labor available, proving conclusively that we are now able to produce an ever-increasing quantity of product with a constantly decreasing number of human hands engaged. The steady job has almost entirely passed out of existence as far as the laboring man is concerned. His purchasing power has been reduced accordingly, and this in turn was bound to be reflected in the quantity of product consumed.

Unemployment Index Rising

All available indexes of employment or unemployment for the past 10 or 15 year period show that the ratio of employment has not kept pace with increasing production. With each passing year it is more and more difficult for a displaced workman to find other immediate employment.

Contributing Factors in Unemployment

There are a number of direct factors in this unemployment problem of to-day of which I should like to mention three: (1) Labor-saving machinery; (2) greater efficiency in management; and (3) amalgamations and consolidations.

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The first two can be considered jointly. Greater efficiency in management has led to an increased introduction of labor-saving devices. We are prone to think of labor-saving machinery as confined largely to the factories and workshops. This is not true. Labor-saving devices are in the home, making it possible for the housewife with the assistance of such devices, either to do all her own work or to greatly reduce the amount of domestic help formerly required; thus the demand for domestic help has been reduced approximately 50 per cent. Labor-saving machines are in the offices, where the bookkeeping machine, the billing machine, the comptometer, the addressograph, the electric multigraph and mimeograph, and dozens of other devices have reduced the demand for office workers by approximately 40 per cent. Labor-saving machinery is in the mines, and has contributed largely to our difficulties and disagreements in that industry. Similarly, machines are on the farm, making it possible for one man with the assistance of highly developed machinery to cultivate two or three times as much land as he could 15 years ago.

May I give just one general illustration of the really alarming magnitude of this displacement of man power? A prominent industrial plant in a city near Cleveland employed a maximum of 35,000 in 1919. Seven years later, in 1926, this same plant produced 8 per cent more product with a maximum of 19,000 employees, largely through the installation of automatic conveyors and other labor-saving devices. There are dozens of illustrations which I might give of the displacement of men by machinery, but I am certain this is not necessary to convince those who are assembled here.

The Rise of the Automobile Industry

I am certain that some of you are wondering why we are only now beginning to realize the seriousness of this displacement of men. The answer, in my estimation, can be found in the rapid rise of the automobile industry. In 1895, on the outskirts of the city of Boston, the first endurance contest for automobiles was held. Twenty-five automobiles were entered in this contest and they were to endeavor to run what was then considered the almost impossible distance of 25 miles. People gathered from far and near to see this contest and we can imagine the bystanders along the road saying something like this, "it can't be done" or "them fool contraptions can never take the place of old Dobbin and the buggy," and yet, 2 of those 25 entries did complete the course, while the other 23 broke down somewhere along the way. Again we can imagine the incredulous spectator saying, "well they did it, but they will never amount to anything."

Since that day the people of this Nation have spent $68,000,000,000 just to purchase those "fool contraptions" which were "not going to amount to anything." Can you imagine the additional billions of dollars expended for the upkeep and servicing of those automobiles? Can you imagine further, the money which has been required to build a system of roads making it possible for us to travel from the far reaches of Canada to the Gulf of Mexico, and from the Atlantic to the Pacific without getting off a hard surfaced road? When we add

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to this the thousands of garages and service stations, the great system of modern hotels and lodging places, even the millions of "hot-dog" and "pop" stands, we are not surprised that 200,000 persons were able to leave the farms for the city in 1928 or that 1,600,000 persons should have deserted the farms during the past five years.

In 35 years the automobile industry has grown to take its place among the three leading industries of America. Other major industries have taken hundreds of years for their development. We were not alarmed by the displacement of a few hundred or even of a few thousand men by labor-saving machinery because, for the most part, they were readily absorbed by this rapidly developing industry or in other lines directly connected with it. However, we must now face the certainty that even this industry can not go on indefinitely expanding. It is my personal opinion that the automobile industry has already passed the saturation point. If it has not already done so, it will reach that point just as soon as we have completed the motorization of land transportation vehicles.

The best figures available for 1929 indicate that between 80 and 85 per cent of all motor vehicles sold during that year were sold to people who had already owned such a vehicle. The industry therefore is now largely devoted to replacement and it is not at all surprising that we find this industry somewhat demoralized or that the effect is being shown in increasing unemployment, limited purchasing power, lower consumption, and reduced production in all lines

By-Products of Unemployment

The most serious by-product of unemployment is seen in "the plight of the aging worker." As fewer men have been needed to produce a given product in a given time, the employer has been able to use greater discrimination as to whom he shall employ. Unfortunately this discrimination has been directed largely against the man who has passed middle age, and right here and now, with all the vigor at my command, I want to say that this is a most unjust discrimination. It seems almost criminal to me that anyone should be refused employment simply because he has committed the "unpardonable sin" of living beyond the age of 40 or 45 years. I do not believe there is any justification in determining age simply by the number of years a man has lived. Some men are old at 30, other men are young at 55 or 60. Health, happiness, experience, training, loyalty, all are forgotten if you are over 40.

May I recite one instance which is indelibly stamped on my mind? A few months ago I happened to be standing by the skilled-help desk in our employment office in Cleveland. I observed a man approach the desk with some hesitancy, although there was about him an air of confidence in himself. He was a splendid type, vigorous, square shouldered, with a direct gaze. His whole attitude was one of certainty as to his own ability. The following conversation ensued between him and our placement clerk:

"Is this the place where you get a job?"

"Yes; this is the employment office."

"I want a job as a millwright."

"Are you an experienced millwright?"

"Yes, sir."

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"Do you have a full set of tools?"

"Yes, sir."

"Do you live in Cleveland?"

"All my life."

"Where have you worked?"

At this point the man enumerated several places and the placement clerk continued:

"You are rather fortunate; I haven't had many millwright jobs lately but I have one to-day which I believe you will fit on. Have you ever been here before?"

"No, sir; I have never had to look for a job much."

"Will you please fill out this card and bring it back to me and I will send you out?"

Some little time later the man returned to the desk and demonstrated that he "had not been looking for a job much." If he had been accustomed to doing so, he would never have given his age as 46; he would have learned to lie a bit. The placement clerk glanced at his card and then at me and finally said—

"I am sorry but I guess I can not send you out on this job after all."

"Why?"

"Because this firm does not hire anyone over 45 and you would just be wasting your time and carfare."

A look of blank amazement passed over the man's face, and he finally stammered——

"You mean—I am too old?"

"No, I would not say you are 'too old,' but it just happens that this firm won't hire anyone over 45."

The man started to expostulate but finally turned and walked out.

Ladies and gentlemen, I am saying to you that a real tragedy was committed in those few moments. The man who walked into that office was not the same man when he walked out again. For the first time in his life and long before it should have been necessary, he was made to feel that he was getting old. Should he live to be 100 he will never forget. He will never again approach anyone with the same confidence. He will never be able to sell himself in the same way.

So much I actually saw and heard, but I can imagine him going home and shuffling in at the door, where his wife immediately detects that something has happened. I can even imagine the following conversation:

"Why, John, what's the matter?"

"Oh! Mary, I guess I am getting old."

"Why, John, don't be silly; what has happened?"

"I am too old; they won't hire me any more."

I can even imagine, after a silent dinner, John sitting by the fireplace, with his unread paper before him, staring blankly into the future. I can imagine his wife's approach in silent sympathy and hear him say—

"Mary, I guess I don't amount to much. When we were married I intended to do big things but we have been so happy getting along together and watching the children grow up, that I haven't thought

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much about saving a lot for our future. Now I am getting old and they don't want me any more."

I hesitate to follow the picture further. I will leave it to your imagination to visualize the change in that home, the different atmosphere, the absence of that fullness of happiness which only assurance of ability to make an honest living can bring forth.

Before me I see a number of men and women whom I have known for several years at least, who are past the age of 45. Do you believe for one moment that you have passed the age of efficiency? I see others before me like myself, who are getting too near this deadline for actual comfort. Do you believe that once you have reached this age, you should be placed on the shelf and labeled, "Of no further constructive value?" I certainly do not, and this question of "age and employability" therefore directly concerns you and me and every one, everywhere. The greatest constructive programs of the ages, the greatest inventions, the most instructive literary masterpieces, the most wonderful developments in science and art, have been contributed largely by men and women of mature years and seasoned judgment. Then why should we deny those opportunities to our fellow men in machine shop or factory?

The Age Hazard in Industry

One of the chief arguments in the refusal to employ persons past middle age is that they are not so keen of eye, so nimble of finger, or so quick of foot as the younger workers, and therefore become a greater hazard to the employer under workmen's compensation insurance. In the first place I do not believe this is true, at least not before 55 years of age. How many of you will deny that when you were in your early twenties you confidently intended to "set the world on fire." You were going to be different. You were not going to be content with small things. You were going to build up a fortune quickly and then, possibly, travel and see the world. The job you were forced to accept during those years, in your estimation, was far beneath you. You didn't prize it highly; in fact, it was something that was holding you down and you were just tarrying in this menial position until you were ready "to apply the match to this old universe." But as years sped by and you approached the 40-year mark and saw your children growing up about you, you found that you probably were not going to be so "different" after all, that you would probably live much as your parents, relatives, and neighbors had lived before you. You then began transferring your ambitions to your sons and daughters. You made the firm resolve that "they shall be different." They must have a "better" education, different environment, and more opportunities than you had.

How can all this be secured for them? Only through your job. Immediately that job takes on new significance and you want to hold it. You are more careful and conscientious, you are more loyal to your employer and show a greater appreciation. You also by this time have become more stable. You are not running around every night until the wee small hours of the morning. You are more content to stay home, read your paper, listen to the radio, and go to

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bed early for a full night's rest. As a result you are back on the job the next morning on time, keenly alive, with a clear mind and a steady hand. Do you mean to tell me that this man with his experience, his consciousness of what the job means to him, his clear mind and refreshed body, is likely to be more subject to injury than the young fellow in his twenties or early thirties, who has not this same incentive, the same experience, and the same keenness of body and mind? I do not believe so.

But should it be true that there is a greater hazard (and this can be obtained from our compensation records), then there is a solution. Our State laws have provided relief for employers who hire a man physically handicapped. If a one-armed man loses the other arm in the course of his employment, the employer is not charged with a total disability. He is charged only with the loss of the member sustained while in his employ. From a contingent fund charged against all employers, the State makes up the balance of the total disability. If this can be done in cases of physical handicap, it can also be done in cases where there is an age handicap, should such facts be established.

Other By-Products of Unemployment

If you will permit me I would like to speak briefly of some other by-products of chronic unemployment. For the past 10 years at least, the engineeering minds of this country have been devoted largely to increasing production and reducing production costs, and those minds have truly wrought wonders. The latest development in this direction is seen in the change from the "capitalistic age" to the "corporation era." We can scarcely pick up a paper to-day which does not tell of some merger, consolidation, or amalgamation of smaller organizations into one large unit or corporation. This condition is binging home to the white-collar man and the executive the problem of unemployment, which has previously been confined mostly to the laborer or mechanic.

If five smaller businesses consolidate, we do not need five purchasing agents, office managers, general superintendents, etc. The main office, with the assistance of mediocre clerks or assistants, will function nicely. The result is that to-day there are more highly trained, competent executives walking the streets of our large cities, seeking suitable connections, than has ever been the case before.

All of this leads to another by-product of unemployment which I have termed on my notes "the specter of unemployment." We see all about us relatives, friends, and neighbors who have been suddenly displaced from good positions which they fully expected to hold for many years to come. In consequence we are confronted with the constant fear that we may be next to fall. This fear hangs over our heads day and night, month after month, as a "sword of Damocles" suspended by a silken cord which any breath may break.

With our consciousness that we are unable to stop the wheels of time and that year by year we are approaching nearer and nearer to that middle-age dead line, we are called upon through this specter of unemployment to endure a certain agony of uncertainty which is almost beyond our power of imagination to estimate. I am certain that you are aware of the fact that a dozen men or women are stand-

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ing immediately behind you, with abilities equal to your own, only awaiting an opportunity to step into your shoes.

What is this ghost of unemployment doing to us as a Nation? In my estimation it is making a Nation of cowards of us. We are afraid to say what we think about anything for fear that some one will take offense and we will lose our jobs in consequence. I frankly admit that I am almost afraid to stand before you to-day and speak thus openly for fear that some one back in Cleveland may learn of my utterances and decide that I am speaking too freely. This is not a healthy condition of mind and I do not believe it is conducive to the best interests of a free country such as we like to consider America to be.

No Argument Against Labor-Saving Machinery

Some moments ago I referred at some length to the displacement of men by machinery. Lest you misunderstand me, I wish to emphasize that this is no argument against the introduction of technological devices. Through the ages man has been endeavoring to eliminate human drudgery and we have marked our progress in civilization largely by our ability to do so. Certainly I do not wish to go back into a muddy trench to stand in water up to my knees all day long at the risk of my health, and I do not believe that you would want to do so, particularly not when we have machines to do this human drudgery faster and better.

It is hard for us to estimate the value of labor-saving devices in our everyday life. High-production machinery has made it possible for us to have conveniences which we could have enjoyed in no other way. The office girl in the building across the street has at her finger tips every hour of the day conveniences of which Mary, Queen of Scots, in her castle, could not even dream, and the ordinary laborer through the medium of high-production methods has at his command protections in health and happiness which the kings of old were entirely unable to imagine. We therefore would not desire, even were it possible, to attempt to turn the wheels of progress backward. What we must attempt to do is to provide constantly and consistently for readjustment to these ever-changing conditions.

Attempted Solution for Unemployment

Through these many years of periodic, seasonal, and even chronic unemployment we have developed in this country no serious and earnest attempt to solve this problem, which has been aptly termed "the greatest economic waste in the world." In looking over our attempts to relieve unemployment I find only two which have been more or less definite. We have established a rather incomplete system of public employment offices and we have tried to apply a "hit or miss" policy of local charity in times when immediate relief was imperative. Public employment offices have their place and are rendering a very valuable service which should be extended. However, no system of employment offices will ever eliminate serious unemployment depressions. You can place an employment office on every street corner, but if there are no jobs to distribute these offices accomplish very little.

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Charity, in my estimation, is equally futile as a solution for unemployment. At best it can be only a temporary relief, salving over the wounds which will eventually break forth again with increasing virulence. A man who is willing and able to work should never be forced to accept charity in lieu of employment. By doing so we take from him that spark of independence which should be his birthright in a free nation such as ours. If he is forced to accept charity on several different occasions, we have simply created a dependent whose morale has been broken down and who will henceforth be willing to depend upon society for a living. No system of charity or doles will ever prove a solution for general unemployment. A biblical quotation, "if his son ask bread, will he give him a stone?" might well be translated, "if a man ask work, shall we give him a dole?"

Unemployment an Affliction

Unemployment is really an affliction which first affects the mentality of its victim and if long continued, through privation, insufficient food, lack of clothing and home conveniences, attacks the physical body also. We might well compare an unemployment depression to an influenza epidemic. Health officials agree that the influenza germ causes more deaths than any other germ known to medical science, and yet influenza directly takes but few lives. Its sinister influence is felt in its weakening and demoralizing effect upon the system, which renders the body incapable of successfully combating other diseases.

I was amazed some weeks ago to hear a prominent industrialist of our city say regarding unemployment, "nothing can be done about it, it can only be corrected by the law of supply and demand." I certainly do not agree with this statement. We do not treat an influenza epidemic in that way. On the contrary we immediately attack it with all the vigor at our command. The best scientific minds are called upon to cope with such an affliction and we do not cease fighting with the passing of an immediate epidemic. No, indeed, we continue through scientific research to endeavor to isolate the influenza germ and to discover means for counteracting its effect. In this way we attempt to avoid a recurrence or at least to modify its seriousness. We do not say of influenza "nothing can be done about it, it will eliminate itself with the coming of hot summer weather," although this seems to me quite as logical as waiting for the "law of supply and demand" to terminate an epidemic of unemployment.

In this country we are extremely proud of what we term our "Yankee ingenuity," and I believe quite justly so. It is this ingenuity and our widespread system of public education which has made it possible for our American workman to produce twice as much as an Englishman, 7 times as much as a Frenchman, and 25 times as much as a Chinaman. Then why, I ask you, should we hesitate, at least to attempt to apply some of this boasted ingenuity to a solution of our problem of unemployment?

A National Problem

This problem of unemployment directly or indirectly affects every one and is therefore an individual problem. It is also distinctly a

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local problem but, in my estimation, it is primarily more a national problem. Certainly no community can adequately cope with a general problem of unemployment. Each community hesitates to advertise its predicament. Therefore it is necessary for the Federal Government vigorously, scientifically, and consistently to study our problem of employment and unemployment in order that we may fully understand the problem itself. So far, nothing has been done in this direction and probably no action will be seriously undertaken by our Federal Government until sufficient pressure is brought to bear from our local communities, to which our Senators and Congressmen look for instruction.

We have no right to say, " nothing can be done about it " until we have really tried. Certainly prosperity for the few at the expense of the many can not long maintain and when money which would ordinarily be used in the consumption of product is directed out of the hands of the masses and into the hands of those who already have all that they could possibly consume, we are heading toward industrial depression. Such was the outcome of rabid speculation in the stock market for the past few years, which resulted in the crisis of last November.

Our problem, possibly, is not so much " overproduction " as "underconsumption." There are millions of people in this country who can think of many conveniences which they should like to purchase were they financially in a position to do so. As long as this is true we can not overproduce. Our task is to provide ways and means to satisfy the desire for increased consumption. For the past 20 years we have been increasing production facilities without giving due attention to increasing our consumption ability so as to keep pace. It now seems time to direct our engineering minds toward increasing consumption.

It would not be surprising if within the next five years a new term becomes common in industry, that of " profit engineering." Such engineers would endeavor to determine how much of the profits of industry it is wise and really profitable to withdraw and how much of this profit it would be better to return to the consuming classes who, through their increased purchasing power, would thus be enabled to maintain production.

The Federal Government in years past has not hesitated to appropriate large sums of money to drive the boll weevil from the cotton belt, to stamp out the hog cholera in Iowa and Illinois, and to eliminate the Spanish fly from the wheat regions. More recently Federal funds have been spent freely to stop your car and mine on the public highway, to see if we were transporting a few ears of sweet corn which might thus give spread to the corn borer. Surely if Federal funds are available for such worthy but less general purposes, they should be available to protect the prosperity, happiness, and the actual lives of our citizens who are periodically afflicted with unemployment.

A National Employment Board

Some months ago, through my personal knowledge of the terrors of unemployment as seen in the course of my daily work, I made bold to offer a Member of Congress from my State, a plan for a national employment board whose general function would be " to an-

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ticipate and prevent extreme peaks of unemployment." In this plan I outlined 10 specific functions which I thought would form a nucleus providing plenty of necessary work warranting the continuous operation of such a board. This plan is receiving some really serious attention and may yet be of some help in forming a real Federal program.

For 50 years or more this Nation suffered from repeated financial panics and these panics seemed uncontrollable under our State bank-
Reserve Board we have been able to prevent further panics. If such a board has been successful in our financial difficulties isn't it possible
ing regulations. However, with the establishment of the Federal
that a similar board could do likewise regarding our unemployment depressions?

Conclusions

In concluding this address, I wish to thank you collectively and individually for the attention you have given. It has been at some personal sacrifice that I have been able to be with you this morning. However, I am amply repaid in noting your very evident interest in what I will repeat again is the most serious economic, social, and moral problem confronting society at this time. I sincerely hope that you have been sufficiently interested to want to return to your several States and Provinces and spread the program of education which is so necessary if we are to cope successfully with this problem.

The first and most important task before us is to break through the general feeling of apathy on this subject and to emphasize the need of individual responsibility. Individual effort is required. We must convince people in our respective communities that they can not meet their obligations in this connection, or more than salve their consciences, by throwing a few pennies or even a few dollars in the general direction of a community fund for the relief of their unemployed neighbors. Should we continue to do only this, we will be fooling no one but ourselves, and we must not be surprised if the general reaction is not pleasant. We still have an obligation as man to man and the common fellowship of man must not be forgotten. The golden rule is still the best rule; we are "our brother's keeper."

Labor Camps

By Russell J. Eldridge, State Director of Employment of New Jersey

A labor camp is supposedly predicated on a shortage of local labor, necessitating importation from centers with an oversupply. Too often it is found that distasteful work or below-par wage rates are the motivating factor of labor-camp concessions by employers. Rates 20 per cent below local standards are common there. To the concessionaire the profit lies primarily in the price charged for board and lodging, not to speak of the sales of commissary merchandise and the profit on transportation by automobile truck, assessed at railroad rates. The control of employment opportunities is only incidental to this profit but is a necessary preliminary, as the employer is interested primarily in a full and cheap labor supply and the commissary agent in a boarding-house profit. No agent

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would consent to operate unless his charges were guaranteed by deduction from the first wages earned.

A laborer or a mechanic signing up for a camp shipment customarily signs an agreement that from his first wages there shall be deducted the fee of the employment agency, the cost of transportation, the cost of board and lodging, and any purchases he may make at the camp store. Frequently he posts his meager baggage as security for the charges of the first pay period.

What does he face when he signs up? He takes the statement of the employment agents at face value and puts himself in their hands. He is shipped 50 or 150 miles into strange territory. He has no funds to return to civilization and no prospect of any until he has worked two weeks, when he receives the balance of his wages after deducting a fee, usually $3 to $10, transportation costing $2 to $11, board of $9 or $10, and cost of incidentals. He has no recourse but to go out with the gang for two weeks, but almost invariably he decides on pay day that he will move on.

In discussions of the advisability of including all labor camps under the employment agency law supervision, the idea has been presented that camp operation results in a low turnover because this is necessary to maintain the boarding-house income, whereas the straight fee employment agency presumably can profit by a high turnover with repeated fees. My experience has been that labor camp turnover is very much greater than industrial turnover. Actual contact with camp conditions induces the belief that it is so profitable to shave the corners on expense of cleanliness, of adequate food supply, housing, and sanitation, that it is cheaper to permit men to leave rapidly than to induce them to stay under decent conditions. In other words, a frequent change of personnel is less likely to produce complaint to competent authority regarding physical conditions, and of course each new shipment permits a new fee and profit on private transportation facilities.

There is keen competition for labor-camp concessions. It is the most profitable phase of employment-agency activity. Conditions in it approach the evil affecting the hotel and restaurant industry—graft in the control of jobs. Commissary agents have told me that in the past the profits were great, but that now employers' representatives demand so large a price on the pay roll as to imperil profits. It is felt that it is because of the great profits that employers no longer erect camp structures and provide kitchen and sleeping equipment but demand that the agents supply all these. It is said that depreciation of equipment approaches 75 per cent per year and the percentage of profit is declining. You can be sure that with such pressure the laborer is not exactly benefited but must still pay all that the traffic will bear.

It has been generally agreed that the old padrone system is injurious. The average commissary camp comes so close to the padrone system that one wonders why such camps are not more generally covered by employment-agency laws, with adequate supervision of both the employment feature and the living conditions.

In New Jersey the law confers the commissary privilege in return for the promise to provide or supply help. This control of employment regardless of the source of profit is deemed sufficient to warrant

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State regulation. It has been almost the universal experience that the average man can not be trusted to act as his brother's keeper; at least not when dollars and cents are concerned and when he is in unmolested control. This applies to prison camps, padrones in the fields and farms, and construction camps within almost a stone's throw of our great cities.

Unconcern and a more ugly feature—graft—have in many cases prevented full application of the humanitarian viewpoint or even the minimum of existing health codes. Too often health bodies are more interested in strictly professional subjects and have failed to build proper safeguards around mass housing. It is my confirmed belief that labor departments, primarily, face the responsibility of regulating camp conditions and protecting the interests of transient workers just as they have been compelled to come to the front in agitation to protect migrant child workers, although in the latter case education and health conditions are certainly as seriously involved as are working conditions. In this I am more than confirmed by the thought of the worker involved who invariably looks to the labor department for protection while on the job; and in the case of the isolated camps the control of job conditions extends to the living and all other details. Anyone living in and working out of a camp is under autocratic authority if there is no intervention.

Evils of the Labor Camp

My first experience with a labor camp resulted from several appeals to our wage claim division by men who had been brought 125 miles from home and, after working two weeks, had only a few dollars offered to them as balance of wages. Investigation disclosed conditions typical of unrestrained camp operation. The railroad fare for that distance was $7, but the worker was charged $11. An old barn having but one door was used to accommodate 90 men. Double-deck iron cots were used and the bedding was apparently never disturbed, as the stench was terrible. With only one exit, no electric lights, and the unregulated crowding of cots, any fire outbreak would have been a holocaust. No wash or laundry house was provided, and the kitchen was in the open, having a makeshift roof and no sides. The pump was near by, and the whole arrangement was in a deep hollow, receiving all the drainage from a near-by road. The dining room was in the basement of the barn and was the only room provided with screening. Toilet facilities were entirely lacking. In this case the State board of health insisted that, as it had an insufficient force of inspectors, the local board had the duty of enforcing the State code. There was no local board to amount to anything, and the State code covered only pollution of potable water and protection of privies from flies. We insisted that the camp authorities obtain an employment-agency license, reduce the transportation charge, and apply our lay idea of housing and sanitary requirements.

Another typical camp was found to consist of two frame dwelling houses of four and five rooms, respectively. One, used as the bunk house, where a family of five probably had lived, now housed 26 men, with double cots for 40. A typical bedroom 8 by 8 feet with an 8-foot ceiling, gave a total of 512 cubic feet. Four double bunks permitted 44 cubic feet per sleeper. (The tenement-house law sets a

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minimum of 400 cubic feet and the factory law the same.) The one stairway to the second floor, with kerosene lamps and no pails of water or extinguishers, could scarcely be considered adequate fire protection. There were no washhouse or laundry facilities except a galvanized tub over an open wood fire in the yard. The outdoor toilets or latrines were in violation of State health codes as to fly protection, water-tight vaults, and proximity to drinking supplies. The other house contained the kitchen, store room, dining room, and quarters for the camp flunkies. While clean, a compliment to the cook rather than to the proprietor, the ice chest was the small one of the original family of five and could not possibly preserve the perishable food for this group of 26 for two days, much less the period of one week required for a visit of the proprietors' supply truck from the home center 200 miles away.

The local community seldom gains anything from a labor camp. The citizens are deprived of employment possibilities, although these are usually below par as to wages. The local merchants sell no food or supplies to the camp proprietor and no luxuries to the residents of the camp, for the commissary store takes care of such luxuries and clothing as a profitable side line. Only the bootlegger and possibly the employer profit. New York State reports instances in which two drinks per day were charged to each man whether he used them or not. Whether the employer really profits in many cases is a debatable question, as cheap and rapidly changing labor is usually very expensive labor.

These remarks result mainly from experience with railroad, highway, and general construction labor camps. The approximately 45 camps, with from 50 to 150 men in each, handle possibly 3,000 men in a season; but with the semimonthly turnover this number is greatly increased by the end of the season. In the camps of the canneries and the berry and farm regions most of the evils of the construction camp may exist, for the same reasons. In New York and Pennsylvania the inspection by the commissioner of housing for workers of any kind supplied to the employer, whether a commissary agent is involved or not, is permitted. In Pennsylvania there is a definite code of physical requirements for the commissary camp. California has developed such a control, and, significantly, it is the labor department in each case which has accepted supervision or, if you please, leadership and responsibility. Investigation of the food in camps apparently has not been embraced in these codes.

The labor camp is closely analogous to the traveling circus in the cost to the community and the trail of evils left behind. We tax the circus the most heavily of all businesses for the privilege of operating. Why should we not tax—and control—the labor camp? Like the circus it takes from the community and gives little or nothing in return. Possible thefts, disease epidemics, moral delinquencies, and loss of local trade can be expected from the unregulated labor camp just as much as from any circus or carnival.

Problems of Regulation and Control

Regulation apparently should embrace all the customary features of the employment agency, plus supervision of cost and quality of board and lodging. The control of employment by the camp imme-

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diately introduces all the possibilities of evil charged to the unscrupulous employment agent, which is almost synonymous with the unregulated employment agent. To license from the employment standpoint is to introduce the labor department as the only public agency represented, and in public opinion delinquencies as to health, sanitation, food, and drink would be laid at the door of that department. In self-defense it apparently behooves the labor department to regulate all the features of such a camp. In New Jersey we have been forced to prepare a code of housing and sanitation going beyond even our State health code. In this we are supported by the cooperation of at least two of our trunk-line railroads, which have taken over the management of their labor camps. They report that they are able to provide better food and bedding and greater cleanliness by an increase of 100 per cent in camp assistants and medical examination of these men. They report they have greatly reduced the previous labor turnover and are able to operate at better than a cost basis.

Our problem has been complicated because of the location of the employment agency or labor source outside the State. While our law defines an agency fee as one from either the employee or the employer—and in the latter case it may be simply the profitable privilege of boarding-house monopoly in return for the supplying of help—still, many chains of commissaries contend that a license as an agency in another State exempts them from license—and control—in our State. The license fee is nominal, usually $25, so that control or regulation is manifestly the objective. We have been compelled to amend our law so as to make the definition of fee include the furnishing of food, supplies, tools, or shelter in connection with the promise to provide help to the employer, regardless of where the help is obtained.

Some States have no laws authorizing the control of employment agencies either locally or by the State, the latter being the more desirable. Many pay no attention to labor camps. Again, the shipment of labor by an agency licensed in only one State presents so many evils impossible of control at the point of employment in another, where the complaint develops, that a revision of laws seems essential to place responsibility on the agency, not only for labor camps, but for any shipment outside the State, most shipments being to vacation and recreational centers in the East and agricultural and construction and railroad work in both the West and the East.

As to living and housing conditions made mandatory on workers because they are bound to their employment, whether furnished by the employer or a third party motivated by gain there or on employment, it seems ironical that labor departments should so fully safeguard the factory worker as to building construction, fire, toilets, sanitation, respiratory conditions, wash rooms, etc., and pay no attention to the fate of the worker taken to isolated sections to work and deprived of the freedom of choice as to where and how he shall spend the greater part of each 24 hours. Labor-camp regulation appears to be a grave responsibility but a sadly neglected one in many States.

A State apparently can not control shipments of labor unless the fee or promise of employment, or the physical location of the agency, can be legally proven to be in the territory of that State. Yet a

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worker, hundreds of miles from home, can be and often is the victim, at the point of destination, of gross misrepresentation or of plain change of the employer's plans which leaves him stranded or destitute. A serious moral danger is present in the large movements of females to resort locations, where business often is below expectations and jobs evaporate or are terminated before the promised period.

The remedy of a Federal licensing scheme to regulate all labor shipments across State lines is suggested. This license could be predicated on agreement to conform to agency or camp codes within the State of destination. Raising of the standard of agency laws and of camp codes could be accomplished by the grant of existing or future Federal funds for State public employment work only to the States conforming to minimum standards provided by a Federal code as to both employment-agency and labor-camp regulation. It is probably as constitutional for the Federal Government to regulate interstate traffic in labor as it is traffic in goods, but undoubtedly the Federal Government could not come into a State and regulate living or employment conditions. On the other hand, no State could project its jurisdiction beyond its borders, so that development of Federal supervision appears necessary to prevent exploitation of thousands of our workers annually, while State action is imperative to protect the camp dweller who lives and sleeps customarily in as close proximity to his fellow man as he did in the trenches in France—3 feet from the man who sleeps above him in the double-deck bunk and 2 feet or less from the two men in the bunk across the aisle.

BUSINESS SESSION

Miss Maud Swett, President Association of Governmental Officials in Industry, Presiding

Miss Peterson made a motion to the effect that wide distribution be given Mr. Seiple's paper on "Old age and employability" and that Mr. Stewart be appointed a committee of one to consider ways and means of carrying out this motion.

The motion was carried.

Report of Committee on Officers' Reports (F. J. Plant, chairman).

The committee on officers' reports has examined the accounts of the association as presented by Miss Louise Schutz, the secretary-treasurer, which are in accordance with the constitution, and which we beg to report have been found correct.

The committee desires to commend the secretary-treasurer for the publicity given the association and for her efforts in endeavoring to secure the affiliation of nonmember States and Provinces. The committee is pleased to note that the International Labor Office is now contributing to the funds of the association and that some of the member States have voluntarily increased their fees.

The president, Miss Maud Swett, in her opening address to the convention spoke of the difficulty in preparing convention programs, owing to the lack of funds not permitting the members of the executive committee to meet and confer. Your committee has taken cognizance of this statement of the president and we feel that an endeavor should be made to add to the revenue of the association. Without making any recommendation we feel that the matter of increasing the affiliation fees should be seriously considered, with a view to increasing our income to at least $1,000 a year.

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The committee also desires to commend the earnest and persistent work of the president and the secretary-treasurer on behalf of this association.

Report of Committee on Constitution (E. Leroy Sweetser, chairman).

The committee has carefully considered the statement prepared by the secretary to the effect that the minimum expenses of the Association of Governmental Officials in Industry each year seem to total about $800. The committee then considered the advisability of trying to increase the budget of the association to $1,000 a year in order that certain legitimate expenses which the association is not now able to meet, i. e., traveling expenses of board members to executive board meetings in connection with arrangement of program; more adequate pay for stenographic service and other expenses which may be expected to arise as the association grows, might be met.

The only plan which could be followed whereby the budget of the association could be increased would be by increasing the dues, or possibly by providing for a registration fee. Attention was called to the fact that the International Association of Industrial Accident Boards and Commissions dues for active membership is $50 a year. After carefully considering the question from every angle it is the opinion of the committee that it would be unwise to increase dues at this time.

We wish to present for consideration another suggested change in the constitution.

After considerable discussion the following changes in the constitution were favorably acted upon.

ARTICLE IX

SECTION 1. *Program.*—The program committee shall consist of the president, the secretary-treasurer, and the head of the department of the State or Province within which the convention is to be held, and they shall prepare and publish the convention programs of the association.

ARTICLE III

SEC. 3. *Associate membership.*—Any individual, organization, or corporation interested in and working along the lines of the object of this association may become an associate member of this association by the unanimous vote of the executive board.

ARTICLE VI

SEC. 2. The annual fee of associate members shall be $2.

Report of Committee on Resolutions.

I. *Resolved,* That the association extend its sincere thanks to the Department of Agriculture, Labor, and Statistics of Kentucky, Hon. Newton Bright, commissioner, and Hon. Edward F. Seiller, chief labor inspector, for the numerous courtesies and attentions accorded the delegates in convention at Louisville.

II. *Resolved,* That the association express its appreciation to Hon. William B. Harrison, mayor of Louisville, the press, the Brown Hotel, and all others who have contributed to the pleasure and comfort of the delegates.

III. *Resolved,* That the association views with approval the passage by the United States Senate of the three unemployment measures—for better employment statistics, better employment offices, and more intelligent advance

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planning of public works—and trusts this program of cooperation with the States will promptly be put into full effect and that the service will be put under civil service.

IV. *Resolved*, The association extends its sympathy to the commissioner, Hon. Newton Bright, in his illness and regrets his inability on that account to be with us personally during our meetings. We have had constant reminders of his effective and careful preparations for our convenience and pleasure during our stay in Louisville. The association hopes for the speedy recovery of Mr. Bright and his restoration to active duty.

V. *Resolved*, 1. That the Association of Governmental Officials in Industry of the United States and Canada indorse the principle of collection and publication of employment and pay-roll figures by industries.

2. That in order to secure comparability of figures such collection and publication be on the same general lines as those now followed by the United States Bureau of Labor Statistics and by a number of the leading industrial States.

3. That in order to avoid duplication all States collecting such reports cooperate with the United States Bureau of Labor Statistics on the same basis as now in effect between that bureau and the nine States now cooperating with the Federal bureau.

These resolutions were adopted.

Place of Next Meeting.

By unanimous vote of the organization, Boston was selected as the place for the next convention.

Election of Officers.

The following officers were elected for the ensuing year:

President.—James H. H. Ballantyne, deputy minister department of labor, Toronto, Ontario.

First vice president.—W. A. Rooksbery, commissioner bureau of labor and statistics, Little Rock, Ark.

Second vice president.—E. Leroy Sweetser, commissioner department of labor and industries, Boston, Mass.

Third vice president.—Eugene B. Patton, director bureau of statistics and information, department of labor, New York, N. Y.

Fourth vice president.—T. E. Whitaker, industrial commissioner, Atlanta, Ga.

Fifth vice president.—Maud Swett, field director woman and child labor, industrial commission, Milwaukee, Wis.

Secretary-treasurer.—Louise E. Schutz, superintendent division of women and children, industrial commission, St. Paul, Minn.

[Convention adjourned.]

HONORARY LIFE MEMBERS

George P. Hambrecht, Wisconsin.
Frank E. Wood, Louisiana.
Linna Bresette, Illinois.
Dr. C. B. Connelley, Pennsylvania.
John H. Hall, Jr., Virginia.
Herman Witter, Ohio.
John S. B. Davie, New Hampshire.
R. H. Lansburgh, Pennsylvania.
Alice McFarland, Kansas.
H. M. Stanley, Georgia.
American Representative, International Labor Office.
A. L. Urick, Iowa.
Dr. Andrew F. McBride, New Jersey.

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Appendix A.—Association of Governmental Officials in Industry Representation on Safety Code Projects

The Association of Governmental Officials in Industry has representation on the following 21 safety code projects, 10 of which have been completed and approved by the American Standards Association.

A 9—Building exits.

Representative, John Campbell, department of labor and industry, Harrisburg, Pa.

Approved as American tentative standard in 1929. This is a standing committee with revisions always under way.

A 10—Construction work.

Representative, W. C. Muehlstein.
Sectional committee being organized.

A 11—Factory lighting.

Representative, Chas. H. Weeks, department of labor, Trenton, N. J.

A 12—Floor and wall openings.

Representative, Edward J. Pierce, department of labor, New York, N. Y.
Code finished.

A 17—Elevators.

Representative, John P. Meade, department of labor and industry, Boston, Mass.

American standard, revision under way.

A 22—Walk-way surfaces.

Representatives, John Campbell, department of labor and industry, Harris, burg, Pa.; Harry E. Mackenzie, department of labor and factory inspection, Hartford, Conn.

Draft has been submitted to sectional committee.

B 8—Foundries.

Representative, Edward J. Pierce, department of labor, New York, N. Y.
American tentative standard. Decision made to undertake revision.

B 9—Refrigeration.

Representative, M. H. Christopherson, New York State insurance fund, New York, N. Y.; alternate, F. A. Groepler.

Draft in hands of sectional committee.

B 20—Conveyors and conveying machinery.

Representative, John P. Meade, department of labor and industry, Boston, Mass.

Six subcommittees at work and two drafts in hands of sectional committee.

B 24—Forging.

Representatives, John Roach, department of labor, Trenton, N. J., and John P. Meade, department of labor and industry, Boston, Mass.

American recommended practice. No revision contemplated at present.

B 28—Rubber mills and calenders.

Representative, E. Leroy Sweetser, department of labor and industries, Boston, Mass.

American recommended practice. No revision contemplated at present.

B 30—Cranes, derricks, and hoists.

Representative, Eugene B. Patton, department of labor, New York, N. Y.
Subcommittees at work on drafts.

C 2—National electrical safety code (Pts. I and III).

Representative, vacant.
American standard committee inactive.

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K 13—Colors for gas mask canisters.

Representative, John Roach, department of labor, Trenton, N. J.
American recommended practice. Approved in 1930.

L 1—Textiles.

Representative, John Campbell, department of labor and industry, Harrisburg, Pa.
American tentative standard. Approved in 1929.

X 2—Protection of heads and eyes.

Representative, John P. Meade, department of labor and industry, Boston, Mass.
American standard. No revisions contemplated at this time.

Z 4—Industrial sanitation.

Representative, Thomas C. Eipper, department of labor, New York, N. Y.
Draft under consideration.

Z 5—Ventilation.

Representative, Thomas C. Eipper, department of labor, New York, N. Y.
Committee inactive.

Z 9—Exhaust systems.

Representative, John Roach, department of labor, Trenton, N. J.
Subcommittees being organized.

Z 12—Prevention of dust explosion.

Representative, W. J. Burke, department of labor, New York, N. Y.
Z 12a—1927; Z 12b—1927, reapproved in 1930; Z 12c—1927; Z 12d—1928; Z 12e—1928.

Z 13—Amusement parks.

Representative, Thomas C. Eipper, department of labor, New York, N. Y.
Sectional committee work under way.

Z 16—Accident statistics.

Representative, John H. Hall, jr., department of labor and industry, Richmond, Va.
Subcommittees at work.

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Appendix B.—List of Persons Who Attended the Seventeenth Annual Convention of the Association of Governmental Officials in Industry

Alabama

Buth Scandrett, child welfare department, Montgomery.

Arkansas

W. A. Rooksbery, commissioner bureau of labor and statistics, Little Rock.
E. I. McKinley, deputy commissioner bureau of labor and statistics, Little Rock.

Delaware

C. W. Dickey, Wilmington.

District of Columbia

Ethelbert Stewart, commissioner Bureau of Labor Statistics, Washington.
Charles E. Baldwin, assistant commissioner Bureau of Labor Statistics, Washington.
Mary Anderson, director Women's Bureau, Washington.
Agnes Peterson, assistant director Women's Bureau, Washington.
Leifur Magnusson, American representative International Labor Office, Washington.
E. N. Matthews, director industrial division Children's Bureau, Washington.

Georgia

T. E. Whitaker, industrial commissioner, industrial commission, Atlanta.

Indiana

Jessie Gremelspacher, director department of women and children, Indianapolis.
James Reagin, chief inspector department of factories, industrial board, Indianapolis.
Harvey McMillan, industrial board, Indianapolis.
F. N. Humphreys, inspector industrial board, Indianapolis.
Helen Shepard, reporter industrial board, Indianapolis.
L. A. Krebs, Indianapolis.
Clarence A. Baker, inspector industrial board, Indianapolis.
Bert Robinson, Indianapolis.
George N. Collins, inspector industrial board, Indianapolis.
John B. Dickson, inspector industrial board, Indianapolis.
L. A. Barth, inspector industrial board, Indianapolis.
Elmer L. Zocum, inspector industrial board, Indianapolis.

Kansas

Daisy Gulick, director of women's work, department of labor and industry, Topeka.

Kentucky

R. P. Halleck, president consumers' league, Louisville.
Alfred N. Hobart, Family Service Organization, Louisville.
Jeon Noll, Family Service Organization, Louisville.
Lucy G. Sheppard, Family Service Organization, Louisville.
Jessie F. Scott, Family Service Organization, Louisville.
Gladys Davis, Louisville.
Harriet L. Agnes, Louisville.
Ella R. Robinson, Louisville.
Louis E. Hosek, department of labor, Louisville.
Elizabeth Lyon, assistant commissioner of agriculture, Louisville.
Edward F. Seiller, chief labor inspector, Louisville.

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Geo. A. Wilson, superintendent public employment service, Louisville.
James M. Hunt, inspector labor department, Covington.
John T. Murphy, Covington.
John Schneider, Federation of Labor, Louisville.
John W. Rogers, deputy labor inspector, Louisville.
Louie Brown, deputy labor inspector, Lexington.
Hallie B. Williams, deputy labor inspector, Henderson.

Massachusetts

E. Leroy Sweetser, commissioner department of labor and industries, Boston.

Minnesota

Henry McColl, chairman industrial commission, St. Paul.
Louise E. Schutz, superintendent division of women and children, industrial commission, St. Paul.

New Jersey

Charles R. Blunt, commissioner department of labor, Trenton.
John Roach, assistant commissioner department of labor, Trenton.
Isabelle M. Summers, director bureau of women and children, Trenton.

New York

James L. Gernon, director bureau of inspection, department of labor, New York.
Eugene B. Patton, director bureau of statistics and information, department of labor, New York.
Frieda S. Miller, director bureau of women in industry, department of labor, New York.
John B. Andrews, American Association for Labor Legislation, New York.
P. G. Agnew, secretary American Standards Association, New York.
Cyril Ainsworth, American Standards Association, New York.
Alfred N. Briggs, American Association for Labor Legislation, New York.

North Dakota

Joseph Kitchen, commissioner department of agriculture and labor, Bismarck.
Alice Angus, secretary minimum wage commission, Bismarck.

Ohio

Thomas C. Devine, chief division of factory inspection, department of industrial relations, Columbus.
B. C. Seiple, commissioner of employment, city of Cleveland, Cleveland.

Ontario

F. J. Plant, chief of labor intelligence branch, department of labor, Ottawa.
James Ballantyne, deputy minister department of labor, Ontario.

Pennsylvania

Harry D. Immel, director bureau of inspection, department of labor and industry, Harrisburg.
Paul Douglas, acting director Swarthmore unemployment study, Swarthmore College, Swarthmore.
Beatrice McConnell, assistant director bureau of women and children, department of labor and industry, Harrisburg.

Tennessee

James M. Southall, commissioner department of labor, Nashville.
M. F. Nicholson, chief inspector division of factory inspection, department of labor, Nashville.

West Virginia

Howard S. Jarrett, commissioner bureau of labor, Charleston.
Jack Smith, inspector.

Wisconsin

Maud Swett, field director, woman and child labor department, Milwaukee.

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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 (credit unions) 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.
No. 520. Social and economic character of unemployment in Philadelphia, April, 1929.

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Foreign Labor Laws.

*No. 142. Administration of labor laws and factory inspection in certain European countries. [1914.]
No. 494. Labor legislation of Uruguay. [1929.]
No. 510. Labor legislation of Argentina. [1930.]
No. 529. Workmen's compensation legislation of Latin American countries. [1930.] (In press.)

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. 524. Building permits in the principal cities of the United States in [1921 to] 1929.

Industrial Accidents and Hygiene.

*No. 104. Lead poisoning in potteries, tile works, and porcelain enameled sanitary ware factories. [1912.]
No. 120. Hygiene of painters' trade. [1913.]
*No. 127. Danger to workers from dust 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 the committee on statistics and compensation insurance cost of the International Association of Industrial Accident Boards and Commissions. [1916.]
*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 Munitions 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. Occupational hazards and diagnostic signs: A guide to impairments to be looked for in hazardous occupations. [1922.]
No. 392. Survey of hygienic conditions in the printing trades. [1925.]
No. 405. Phosphorous necrosis in the manufacture of fireworks and in the preparation of phosphorus. [1926.]
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.]
No. 488. Deaths from lead poisoning, 1925–1927.
No. 490. Statistics of industrial accidents in the United States to the end of 1927.
No. 507. Causes of death by occupation. [1929.]

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.]

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Industrial Relations and Labor Conditions—Continued.

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.]
No. 384. Labor conditions in the shoe industry in Massachusetts, 1920–1924.
No. 399. Labor relations in the lace and laee-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. 517. Decisions of courts and opinions affecting labor, 1927–1928.
No. 528. Labor legislation of 1929. (In press.)

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.
*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.
*No. 455. Fourteenth, Paterson, N. J., May 31 to June 3, 1927.
No. 480. Fifteenth, New Orleans, La., May 21–24, 1928.
No. 508. Sixteenth, Toronto, Canada, June 4–7, 1929.

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.
*No. 456. Fourteenth, Atlanta, Ga., September 27–29, 1927.
No. 485. Fifteenth, Paterson, N. J., September 11–14, 1928.
No. 511. Sixteenth, Buffalo, N. Y., October 8–11, 1929.

Proceedings of Annual Meetings of the 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. 355. 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.
No. 478. Fifteenth, Detroit, Mich., October 25–28, 1927.
No. 501. Sixteenth, Cleveland, Ohio, September 18–21, 1928.

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Productivity of Labor.

No. 326. 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 the paper box-board industry. [1926.]
No. 412. Wages, hours, and productivity in the pottery industry, 1925.
No. 441. Productivity of labor in the glass industry. [1927.]
No. 474. Productivity of labor in merchant blast furnaces. [1928.]
No. 475. Productivity of labor in newspaper printing. [1929.]

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. 495. Retail prices, 1899 to 1928.

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. Rules for governing the approval of headlighting devices for motor vehicles.
*No. 351. Safety code for the construction, care, and use of ladders.
No. 375. Safety code for laundry machinery and operations.
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. 447. Safety code for rubber mills and calenders.
No. 451. Safety code for forging and hot-metal stamping.
No. 463. Safety code for mechanical power-transmission apparatus—first revision.
No. 509. Textile safety code.
No. 512. Code for identification of gas-mask canisters.
No. 519. Safety code for woodworking plants, as revised 1930.
No. 527. Safety code for the use, care, and protection of abrasive wheels.

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*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. [1917.]
No. 271. Adult working-class education in Great Britain and the United States. [1920.]
No. 459. Apprenticeship in building construction. [1928.]

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.

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No. 365. Wages and hours of labor in the paper and pulp industry, 1923.
No. 394. Wages and hours of labor in metalliferous mines, 1924.
No. 407. Labor costs of production and wages and hours of labor in the paper box-board industry. [1926.]
No. 412. Wages, hours, and productivity in the pottery industry, 1925.
No. 416. Hours and earnings in anthracite and bituminous coal mining, 1922 and 1924.
No. 472. Wages and hours of labor in the slaughtering and meat-packing industry, 1927.
No. 476. Union scales of wages and hours of labor, 1927. [Supplement to Bulletin 457.]
No. 484. Wages and hours of labor of common street laborers, 1928.
No. 487. Wages and hours of labor in woolen and worsted goods manufacturing, 1910 to 1928.
No. 492. Wages and hours of labor in cotton-goods manufacturing, 1910 to 1928.
No. 497. Wages and hours of labor in the lumber industry in the United States, 1928.
No. 498. Wages and hours of labor in the boot and shoe industry, 1910 to 1928.
No. 499. History of wages in the United States from colonial times to 1928.
No. 502. Wages and hours of labor in the motor-vehicle industry, 1928.
No. 503. Wages and hours of labor in the men's clothing industry, 1911 to 1928.
No. 504. Wages and hours of labor in the hosiery and underwear industries, 1907 to 1928.
No. 513. Wages and hours of labor in the iron and steel industry, 1929.
No. 514. Pennsylvania Railroad wage data. From Report of Joint Fact Finding Committee in wage negotiations in 1927.
No. 515. Union scales of wages, May 15, 1929.
No. 516. Hours and earnings in bituminous coal mining, 1929.
No. 522. Wages and hours of labor in foundries and machine shops, 1929.
No. 523. Wages and hours in the manufacture of airplanes and aircraft engines, 1929. (In press.)
No. 525. Wages and hours of labor in the Portland cement industry, 1929. (In press.)
No. 526. Wages and hours of labor in the furniture industry, 1910 to 1929. (In press.)

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*No. 123. Employer's 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.]
No. 458. Health and recreation activities in industrial establishments, 1926.

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No. 284. Index number of wholesale prices in the United States and foreign countries. [1921.]
No. 453. Revised index numbers of wholesale prices, 1923 to July, 1927.
No. 521. Wholesale prices, 1929.

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 women 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.]

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Women and Children in Industry—Continued.

*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.]

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*No. 101. Care of tuberculous wage earners in Germany. [1912.]
*No. 102. British national insurance act, 1911.
No. 103. Sickness and accident insurance law in 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 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. 477. Public-service retirement systems, United States and Europe. [1929.]
No. 496. Workmen's compensation legislation of the United States and Canada as of January, 1929. (With text of legislation enacted in 1927 and 1928.)

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*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.]
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No. 342. International Seamen's Union of America: A study of its history and problems. [1923.]
No. 346. Humanity in government. [1923.]
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No. 398. Growth of legal-aid work in the United States. [1926.]
No. 401. Family allowances in foreign countries. [1926.]
No. 461. Labor organizations in Chile. [1928.]
No. 462. Park recreation areas in the United States. [1928.]
No. 465. Beneficial activities of American trade-unions. [1928.]
No. 479. Activities and functions of a State department of labor. [1928.]
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No. 489. Care of aged persons in the United States. [1929.]
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