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# LABOR LEGISLATION 1930



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# Acknowledgment

This bulletin was prepared by Charles F. Sharkey, of the United States Bureau of Labor Statistics.

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# **BULLETIN OF THE**

# U. S. BUREAU OF LABOR STATISTICS

NO. 552

WASHINGTON

OCTOBER, 1931

# **REVIEW OF LABOR LEGISLATION OF 1930**

# Introduction

Regular legislative sessions were held in 1930 in only nine States (Kentucky, Louisiana, Massachusetts, Mississippi, New Jersey, New York, Rhode Island, South Carolina, and Virginia). Of these States, two (Louisiana and New Jersey) also held extra sessions. Special sessions were also held in 10 States (Idaho, Illinois, Kansas, Maine, Maryland, Nebraska, New Hampshire, Texas, Utah, and West Virginia). The Legislatures of Porto Rico and the Philippine Islands were also in regular session, as was the Congress of the United States, convening as the Seventy-first Congress, second and third sessions.

Legislation affecting labor in some respect was passed by all of the lawmaking bodies meeting during the year in regular session. In those States in which special sessions were held the enactment of labor legislation was noticeably lacking except in Texas, where an act providing for the examination and licensing of barbers was

amplified and clarified.

Two States (Massachusetts and New York) during the year provided for the establishment of old-age pension systems, making a total of 12 States (not including Alaska) which have adopted such laws. New Jersey appointed a committee of seven members to study the general subject of pensions. In Kentucky a new and enlarged private employment agency law was adopted. The subject of the hours of labor of women employees received attention in Louisiana, where the maximum hours of labor for such employees was reduced to 9 per day and 54 per week. In New York the hours of labor law for women was amended by granting a half holiday in addition to the day of rest already granted each week to those employed in mercantile establishments and factories. New York also extended the eight-hour day law, and the "prevailing wage rate" law to cover work on railroad grade crossing elimination work. New Jersey treated extensively the subject of industrial home work.

Three important acts passed by the Congress of the United States were: (1) The enlargement of the duties of the United States Bu-

<sup>1</sup> Old-age pension law was enacted by the legislature of 1931.

reau of Labor Statistics, by directing the bureau to collect and publish statistics each month on the number of persons employed, aggregate wages paid, and hours of labor, in several enumerated groups of industries; (2) the continuation of the Federal vocational rehabilitation act; (3) the liberalization of the retirement act applicable to Federal employees.

The labor legislation bulletin of 1930 follows the style and form of the previous supplemental labor legislation bulletins—No. 403, Labor Legislation of 1925; No. 434, Labor Legislation of 1926; No. 470, Labor Legislation of 1927; No. 486, Labor Legislation of 1928, and No. 528, Labor Legislation of 1929—which appeared yearly following the publication of the basic bulletin (No. 370) in 1925, entitled "Labor Laws of the United States, with Decisions of Courts Relating Thereto." The basic volume contains reprints, abridgments, digests, and references to all labor legislation, excluding workmen's compensation laws, up to the beginning of the year 1925.

Each of the series of labor legislation bulletins is divided into two parts—one entitled "Digests and Summaries of Certain Classes of Laws Affecting Labor" and the other "Text and Abridgment of Labor Laws." Part 2 contains the laws of more specific interest to labor, and less generally standardized. At the end of each bulletin a cumulative index provides ready reference to the laws found in the particular bulletin as well as those published in the preceding bulletins.

The subject of workmen's compensation has been treated separately and published as Bureau of Labor Statistics Bulletins No. 423 and No. 496. The principal amendments made to the workmen's compensation laws during the legislative year of 1930 were reviewed in the December, 1930, Labor Review published by the United States Bureau of Labor Statistics.

# Part 1.—Digests and Summaries of Certain Classes of Laws Affecting Labor

This part is a supplement to part 1 of Bulletin No. 370, and the same general arrangement of subject matter is followed. The introductory statements found in Bulletin No. 370 continue to be applicable and therefore are not here repeated.

#### Mothers' Pensions

Louisiana.—Act No. 46. Makes effective sec. 5, Art. XVIII, of the Louisiana Constitution in relation to mothers' pensions. Act No. 209 of Acts of 1920 (as amended by Act. No. 228, Acts of 1928) is thereby repealed.

Massachusetts.—Ch. 381. Amends sec. 1, ch. 118, Gen. L. 1921

(as amended by ch. 376, Acts of 1922).

New York.—Ch. 41. Amends subd. 9, sec. 153, ch. 29, Acts of 1909 (as added by ch. 730, Acts of 1923) by allowing a relative to make application where the mother is incapacitated or insane.

Ch. 799. Amends subd. 1, sec. 153, ch. 29, Acts of 1909 (ch. 24, Consol. L. 1909), as added by ch. 228, Acts of 1915 (as last amended by ch. 347, Acts of 1929), by allowing assistance to a mother whose husband has absented himself for two years instead of five years as heretofore.

# Examination, Licensing, etc., of Workmen

#### Aviators

Kentucky.—Ch. 11 (new act). Regulates aviation and licensing of airmen.

Massachusetts.—Ch. 33. Amends secs. 47, 49, 50, ch. 90, Gen. L. 1921 (as amended by ch. 534, Acts of 1922; ch. 388, Acts of 1928).

New Jersey.—Ch. 94. Amends sec. 6, ch. 63, Acts of 1928.

South Carolina.—No. 625 (new act). Provides for licensing of

airmen, etc.

Virginia.—Ch. 291. Repeals ch. 463, Acts of 1928, and adds 14 new sections to the Code of 1919 (secs. 3775a-3775n) providing for the licensing, etc., of aircraft and pilots.

#### Barbers

Mississippi.—Ch. 131 (new act). Regulates the practice of barbering, provides for the examination and licensing of barbers, and fixes examination fee at \$5, apprentice fee \$3.

Texas.—Ch. 15 (fifth called session). Amends secs. 4, 6, 9, 16, 17, and 22, of ch. 65, Acts of 1929. Amplifies and clarifies the original

act passed at the first called session.

#### Chauffeurs

New Jersey.—Ch. 207. Amends subd. 4, sec. 21, ch. 208, Acts of 1921.

#### **Plumbers**

Kentucky.—Ch. 167. Act applies to counties containing cities of the first and second class. Examiners are to be appointed by the State board of health. Fees: For master plumber examination, \$25; for certificate, \$25; renewal, \$10; for journeyman plumber examination, \$5; for certificate, \$5; renewal, \$3.

Massachusetts.—Ch. 397. Amends sec. 6, ch. 142, Gen. L. 1921 (as amended by ch. 76, Acts of 1928), relative to deferred renewals of

plumbers' licenses.

New York.—Ch. 126. Amends subd. 4, sec. 44, ch. 26, Acts of 1909 (ch. 21, Consol. L. 1909), by increasing the examination fee from \$5 to \$10.

Ch. 506. Amends sec. 42, ch. 26, Acts of 1909 (ch. 21, Consol. L. 1909), by authorizing the respective boards of estimate to fix the compensation of examining boards of plumbers.

# **Emigrant Agents**

Mississippi.—Ch. 88 (sec. 108). Provides for privilege tax of \$500 for all labor and employment agents.

#### Mechanics' Liens

New York.—Ch. 859. Amends secs. 2, 3, 13 (subds. 2, 3), 16, 19 (subd. 1), 21, 22, 25, 29, 36, and 38, Acts of 1909 (ch. 33, Consol. L. 1909) as amended by ch. 515, Acts of 1929, amending the lien law generally, in relation to mechanics' liens, and adds eight new sections (4-a, 19 (subd. 6), 21-a, 36-a, 36-b, 36-c, 39, 39-a).

# Assignment of Wages—Wage Brokers

Virginia.—Ch. 320. Amends. sec. 12, ch. 72, Acts of 1920 (as amended by ch. 448, Acts of 1928). Specifies the State license tax required of loan companies.

# Sunday Labor

Massachusetts.—Ch. 143. Amends sec. 6, ch. 136, Gen. L. 1921 (as amended by ch. 118, Acts of 1929), by providing for local option relative to the carrying on of the business of bootblack on Sunday.

Ch. 179. Amends sec. 6, ch. 136, Gen. L. 1921 (as last amended by ch. 143, Acts of 1930), by authorizing private garden work about a dwelling house on Sunday.

Rhode Island.—Ch. 1566. Authorizes the town councils to grant

licenses for sale of certain commodities on Sunday.

# Legal Holidays in the States and Territories

Massachusetts.—Ch. 421. Amends sec. 65, ch. 92, Gen. L. 1921. Pumping station employees are now included in the weekly holiday law.

#### Bakeries and the Preparation, Distribution, etc., of Food Products

Rhode Island.—Ch. 1570. Amends secs. 22, 23, 24, 25, 26, 28 (as amended by ch. 586, Acts of 1925), and 31, of ch. 85, Gen. L. 1923, inspection and regulations in bakeries, etc.

# Railroads—Safety Appliances, etc.

Massachusetts.—Ch. 211. Amends sec. 163, ch. 160, Gen. L. 1921, and repeals sec. 164, ch. 160, Gen. L. 1921. Instead of specifying the safety devices and equipment required on railroad trains and cars in case of accident, the act now provides that only such tools and devices shall be required as the department of public utilities shall order in writing.

United States.—Ch. 644 (46 Stat. L. 822). Amends an act of February 17, 1911 (36 Stat. L. 914), as amended March 4, 1915 (38 Stat. L. 1192), June 26, 1918 (40 Stat. L. 616), and June 7, 1924 (43 Stat. L. 659), by increasing the salary of chief inspector of locomotive boilers from \$6,000 to \$7,500, and each assistant chief's salary from \$5,000 to \$6,000. The salary of each district inspector is increased from \$3,600 to \$4,000.

#### Railroads—Train Crews

Mississippi.—Ch. 219. Amends ch. 170, Acts of 1914. The train crew law is made applicable to trains propelled by gasoline or electricity, etc.

Old-Age Pensions

Massachusetts.—Ch. 402 (new act). An act for the adequate assistance of certain aged persons is provided by adding a new chapter (118A) after chapter 118, Gen. L. 1921. The law provides that assistance be given to deserving citizens 70 years of age or over in need of relief and support, and who have been residents of the State 20 years prior to reaching 70. The department of public welfare is empowered to supervise the work of the several town boards

of public welfare.

New York.—Ch. 387 (new act). Amends ch. 565, Acts of 1929 (ch. 42, Consol. L. 1909), by adding a new article (14-a) providing for security against old-age want. The act provides for the granting of old-age relief by the city and county public welfare districts, and also such other cities as may elect to administer old-age relief under the general supervision of the State department of social welfare. Relief is granted to any person who has attained the age of 70 years, is unable to support himself, is a citizen of the United States, has been a resident of New York State for 10 years, and of the public welfare district in which the application is made for one year immediately preceding date of application, and the applicant must not be an inmate of a home for the aged or of a correctional institution, nor one who has voluntarily assigned property for the purpose of qualifying under the act.

# Retirement of Public Employees

Massachusetts.—Ch. 335. Amends sec. 5, ch. 32, Gen. L. 1921 (as amended by ch. 244, Acts of 1925), and adds a new paragraph (F). Sec. 33 of chapter 32, Gen. L. 1921, is also amended. Relative to refunds in case of deceased employees.

Ch. 413. Amends sec. 22, ch. 32, Gen. L. 1921, by including officers

of certain county penal institutions.

New York.—Ch. 137. Amends sec. 63, subd. 2, ch. 15, Acts of 1909 (ch. 7, Consol. L. 1909), as added by ch. 741, Acts of 1920, as amended by ch. 421, Acts of 1929), and also adds a new subdivision (3). Restoration to active service.

Ch. 138. Amends sec. 62, ch. 15, Acts of 1909 (ch. 7, Consol. L. 1909), as added by ch. 741, Acts of 1920 (as amended by ch. 326, Acts

of 1928).

Ch. 139. Amends sec. 53, subd. 5, ch. 15, Acts of 1909 (ch. 7, Consol. L. 1909), as added by ch. 741, Acts of 1909 (as amended by chs. 421, 422, Acts of 1929). Prior service.

Ch. 140. Amends sec. 76, ch. 15, Acts of 1909 (ch. 7, Consol. L. 1909), as added by ch. 591, Acts of 1922 (as last amended by ch. 578,

Acts of 1927). Membership in retirement system.

Ch. 141. Amends sec. 52, subd. 1, ch. 15, Acts of 1909 (ch. 7, Consol. L. 1909), as added by ch. 741, Acts of 1920 (as amended by chs. 301, 556, 557, Acts of 1928), by adding a new paragraph (f) extending the membership to persons in the service of certain divisions of Cornell University.

Ch. 143. Amends sec. 1, ch. 568, Acts of 1921 (as last amended by ch. 106, Acts of 1923). Election of State employees under the retire-

ment act.

Ch. 713. Amends sec. 50, subd. 8, ch. 15, Acts of 1909 (ch. 7, Consol. L. 1909), as added by ch. 741, Acts of 1920, as last amended by ch. 421, Acts of 1929, and also amends sec. 50, subd. 9 (as last amended by ch. 294, Acts of 1928). Section 52-c of the same original chapter (as added by ch. 713, Acts of 1928) is also amended, defining service of a member under the retirement system.

Ch. 714. Amends sec. 52-c, ch. 15, Acts of 1909 (ch. 7, Consol. L.

1909), as added by ch. 713, Acts of 1928. State service.

Ch. 734. Amends par. (e), subd. 1, sec. 52, ch. 15, Acts of 1909 (ch. 7, Consol. L. 1909), as added by ch. 556, Acts of 1928. State police under the retirement act.

The following chapters amend the New York City employees'

retirement system:

Ch. 354 amends ch. 466, Acts of 1901, by adding a new section (1703-b); ch. 655 amends sec. 1709 by adding a new subdivision (6); ch. 656 amends sec. 1710, subd. (3); ch. 657 amends sec. 1703, by adding a new section (1703-b); ch. 658 amends sec. 1092, subd. h; ch. 659 amends sec. 1711; ch. 660 amends sec. 1700, subd. 3; ch. 720 amends sec. 1717; ch. 751 amends sec. 1713; ch. 752 amends sec. 1716, subd. 3; ch. 753 amends sec. 1703-a; and ch. 862 amends sec. 1703.

Porto Rico.—Act No. 73. Amends sec. 3, Act No. 104, Acts of 1925. Provides for retirement of employees after 30 years, on 75 per cent of average salary received during the seven years before retirement,

and such pension is limited to \$2,000.

United States.—Ch. 209 (46 Stat. L. 253). Provides that the retirement date of an employee shall become effective on the first day

of the month following that in which the employee is retired.

Ch. 349 (46 Stat. L. 468). Amends Act of May 22, 1920 (41 Stat. L. 614), as amended by an act of July 3, 1926 (44 Stat. L. 904). Libcralizes the retirement act of civil employees of the Government. (See analysis of act in Monthly Labor Review, August, 1930, pp. 72-80.)

Cooperative Associations

New York.—Ch. 204. Amends ch. 231, Acts of 1926 (ch. 77, Consol. L. 1909), by adding after article 8 a new article (8-a) relative to the formation and incorporation of cooperative agency

corporations.

Ch. 821. Amends art. 3, ch. 231, Acts of 1926 (ch. 77, Consol. L. 1909), by adding two new sections (20 and 21). Provides a penalty for the spreading of false reports concerning the finances or management of any cooperative association, or for encouraging breach of contracts.

#### Credit Unions

Massachusetts.—Ch. 100. Amends sec. 18, ch. 171, Gen. L. 1921 (as amended by ch. 273, Acts of 1926). Approval of two-thirds of credit-union directors must be secured before certain acts are allowed.

Ch. 180. Amends sec. 3, ch. 171, Gen. L. 1921 (as amended by ch. 273, Acts of 1926), by adding a fee for the examination of credit

New Jersey.—Ch. 153. Amends secs. 1 and 2, ch. 48, Acts of 1924 (as amended by ch. 266, Acts of 1929), so as to include associations of religious societies and war veterans.

New York.—Ch. 195. Amends art. 11, ch. 369, Acts of 1914 (ch. 2, Consol. L. 1909), by adding a new section (480) providing that records of original entries shall be preserved for a period of six years.

Ch. 198. Amends subd. 5, sec. 453, ch. 369, Acts of 1914 (ch. 2, Consol. L. 1909), as last amended by ch. 701, Acts of 1923, by increasing from 5.9 to 6 per cent per annum the maximum advance interest rate which credit unions may charge their members.

Ch. 247. Amends subd. 1, sec. 454, ch. 369, Acts of 1914 (ch. 2, Consol. L. 1909), as amended by ch. 323, Acts of 1929, relative to the restriction of the payment of commission, etc.

Ch. 360. Amends subd. 4, sec. 454, ch. 369, Acts of 1914 (ch. 2, Consol. L. 1909), as amended by ch. 324, Acts of 1929. Approval of the directors, credit committee, and the supervisory committee must be obtained prior to granting of loans to officers or committee members.

Virginia.—Ch. 16. Amends ch. 449, Code of 1919, by adding two new sections (26 and 27) relative to the taxation of credit unions.

#### Trade-Marks of Trade-Unions

South Carolina.—No. 721. Amends sec. 141, vol. 2, Code of 1922,

by increasing the filing and recording fee to \$10.

Virginia.—Ch. 364. Provides for the registration of names, etc.,

of organizations, including labor unions.

#### **Absent Voters**

New York.—Ch. 266. Amends sec. 117, ch. 580, Acts of 1922 (ch. 17, Consol. L. 1909), as last amended by ch. 96, Acts of 1929, by extending the privilege of absentee voting to inmates of a United States Veterans' Bureau hospital.

Rhode Island.—Ch. 1514. A proposal to amend the State constitution so as to permit absentee voting was approved by the legislature, and submitted by referendum to the voters on November 4,

1930. Reported as accepted.

Virginia.—Ch. 4. Amends secs. 202 and 203, Code, 1919 (as last amended by ch. 397, Acts of 1928), by making the absent voters' law

applicable to any special election.

Ch. 60. Amends secs. 204 and 209, Code, 1919 (as amended by ch. 505, Acts of 1922; ch. 420, Acts of 1924), relating to absent voters outside of the United States.

#### Convict Labor

Kentucky.—Ch. 77. Authorizes the manufacture of license number plates and tags for motor vehicles for the State and for sale to other States.

New York.—Ch. 136. Amends ch. 25, Acts of 1909, by adding a new section (69), prohibiting the interstate shipment of convict-made goods. This act merely takes advantage of the Federal act (ch. 79-45 Stat. L. 1084) divesting convict-made goods of their interstate character, which becomes effective on January 19, 1934. Sections 67 and 68 (as added by ch. 805, Acts of 1928) are repealed.

Ch. 503. Amends secs. 187, 189, ch. 47, Acts of 1909 (ch. 43, Consol. L. 1909), as amended by ch. 243, Acts of 1929. Earnings of

prisoners.

South Carolina.—No. 1187. Authorizes the manufacture of license plates for motor vehicles and road signs at the State

penitentiary.

United States.—Ch. 340 (46 Stat. L. 391). Provides for the diversification of employment of Federal prisoners, authorizing the use of convict labor for public-road construction, clearing public lands, and the establishment of industries for production of articles for prison consumption or for sale to any Government departments.

Ch. 497 (46 Stat. L. 590), Tariff Act of 1930. Section 307 of the act prohibits the importation of convict-made goods or goods produced by forced and indentured labor. The provisions of the section relating to goods produced by forced or indentured labor will not become effective until January 1, 1932.

# Investigative Commissions

The legislatures of several States provided for the establishment or continuance of commissions for the purpose of investigation.

Following is a summary of such action:

Massachusetts.—Resolutions, chs. 2 (p. 575) and 16 (p. 582). Continue the commission provided for in 1929 (resolution, ch. 12) to study the laws relative to dependent, delinquent, and neglected children.

Ch. 30 (p. 589), resolution. Provides that the department of labor and industries study and investigate the subject of stock purchase by employees in cooperative shoe shops. Appropriation, \$2,500. Ch. 49 (p. 598), resolution. Provides that a special unpaid com-

mission of five members be appointed to investigate the retirement

allowances for State employees. Appropriation, \$7,500. Ch. 60 (p. 603), resolution. Authorizes an investigation by the department of labor and industries, relative to the causes of existing unemployment and to provide remedies. Appropriation.

Ch. 66 (p. 606), resolution. Continues the investigation provided for in 1929 (ch. 54, p. 539) relative to conditions affecting the

textile industry.

New Jersey.—J. R. No. 5 (p. 1108). A commission of seven members was authorized to be appointed for the purpose of making a study of the general subject of pensions. Appropriation, \$25,000.

J. R. No. 6 (p. 1110). Provides for the creation and establishment of a commission to study and investigate the employment

of migratory children in the State. Appropriation, \$5,000.

New York.—Ch. 825. A commission of seven members was created for the purpose of studying and investigating prison administration, expansion of prison industries, etc. Appropriation, \$10,000.

# Part 2.—Text and Abridgment of Labor Laws

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

#### KENTUCKY

#### ACTS OF 1930

#### CHAPTER 169.—Employment offices, private

SECTION 1. Scope. [Employment agency includes any person, etc., offering by sign, advertisement, etc., to furnish employment for another; but bona fide educational, religious, charitable, fraternal, labor, or employers' organizations, also teachers' agencies, nurses' registries, are excluded from the act.]

SEC. 2. Permits.—[A permit to operate an agency must be obtained from

the department of labor. I

SEC. 3. Fee, etc.-[The fee for a license is fixed at \$25 annually. The department may refuse to issue a permit if the applicant is considered a person not of good moral character or has violated any State law, in which event the

permit fee must be returned.]

Sec. 4. Location, register, etc.—[No employment agency may change its location without written consent of the department; registers must be kept of the business transacted, and each month a report must be filed showing the number of applicants, registration fees collected and refunded, and the total number of placements; the permit of the agency and the act must be posted in every

SEC. 5. Acts forbidden.—[Agencies are forbidden to send an applicant to any fictitious job, or to any place where a strike or labor trouble exists, or circulate any false information by advertnsement, or secure the discharge of an employee, divide fees, or make any false entry in any record used in the employment agency business; change in contract forms must be submitted to the

department; and all agencies must be conducted in an orderly, clean, and sanitary manner.]

SEC. 6. Return of fee, etc.—[If employment is not obtained within 30 days

after payment of any money, it must be returned to the applicant.]

SECS. 7, 8. Inspection, etc.—[Inspection of offices to be made by the department of labor; files and records of all agencies must be accessible to the department; all moneys received from employment agency permits must be paid into the State treasury.]

SEC. 9. Enforcement.—[Violations are punishable by fines for first offense, \$1 to \$100; for second and subsequent offenses, \$25 to \$100 or imprisonment not over 30 days, or both.]

Approved March 27, 1930.

#### LOUISIANA

#### ACTS OF 1930

#### Acr No. 71.—Employment of women and children

[This act amends sec. 4, Act No. 301, Acts of 1908 (as last amended by Act No. 176, Acts of 1926), so as to read as follows:

No. 176, Acts of 1926), so as to read as follows:]

Section 4. Hours of Labor.—No child or person between the age of 14 and 16 years shall be employed in any of the places and industries enumerated in section 1 of this act for a longer period than eight hours per day or 48 hours per week. There shall be one hour allowed each day for dinner, but such dinner time shall not be included as part of the working hours of the day. In case two-thirds of the employees so desire, time for dinner may be reduced at their request to not less than 30 minutes. Any violation of this provision shall be punishable by fine of not less than \$25 nor more than \$50 or by imprisonment in the parish jail (parish prison in New Orleans) for not less than 10 days nor more than six months, or both, in the discretion of the court.

No female person shall be employed in any of the places and industries enumerated in section 1 of this act for a longer period than nine hours per day or 54 hours per week. There shall be one hour allowed each day for dinner, but such dinner time shall not be included as part of the working hours of the day. In case two-thirds of the employees so desire, time for dinner may be reduced at their request to not less than 30 minutes: Provided, That this shall not apply to persons working in stores and mercantile establishments on Saturday nights in which more than five persons are employed, provided women working in mercantile establishments, cafés, and restaurants situated and operated outside of any municipality or within any town or village of less than 2,500 inhabitants, or women working in telegraph offices may be employed not exceeding 60 hours per week: And provided further, That women working in those packing plants, canning plants, and factories handling fruits, sea foods, vegetables, and perishable foods may be employed not exceeding 10 hours per day or 60 hours per week during emergencies. Any violation of this provision shall be punishable by fine of not less than \$25 nor more than \$50, or by imprisonment in the parish jail (parish prison in New Orleans) for not less than 10 days nor more than six months, or both, in the discretion of the court.

Approved July 15, 1930.

#### MASSACHUSETTS

#### ACTS OF 1930

#### CHAPTER 117.—Private employment offices

[This act amends sec. 41, ch. 140, Gen. L. 1921. Private employment offices for seamen are no longer exempt from the provisions of the act relative to the penalty for keeping an unlicensed intelligence office.]

Approved March 14, 1930.

#### CHAPTER 410.—Department of labor and industries

[Section 1 of this act amends sec. 3, ch. 23, Gen. L. 1921 (as amended by ch. 306, Acts of 1921), so as to read as follows:]

SECTION 3. Duties.—The commissioner shall be the executive and administrative head of the department. He shall have charge of the administration and

enforcement of all laws, rules, and regulations which it is the duty of the department to administer and enforce, and shall direct all inspections and investigations except as otherwise provided. He shall organize in the department a division of standards, a division on the necessaries of life, and such other divisions as he may from time to time determine, and may assign the officers and employees of the department thereto. He shall prepare for the consideration of the assistant commissioner and the associate commissioners rules and regulations for the conduct of the department and all other rules and regulations which the department is authorized by law to make and they shall, except as otherwise provided, take effect when approved by the associate commissioners and the assistant commissioner, or upon such date as they determine. The commissioner may designate the assistant commissioner or an associate commissioner to discharge the duties of the commissioner during his absence or disability.

[Section 2 amends sec. 4, ch. 23, Gen. L. 1921 (as last amended by ch. 275, Acts of 1927), so as to read as follows:]

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

[Section 3 amends sec. 9, ch. 23, Gen. L. 1921 (as amended by ch. 357, Acts of 1929), by adding five new sections (D, E, F, G, H) relative to the duties of the director of the division on the necessaries of life.]

Approved May 29, 1930.

#### MISSISSIPPI

#### **ACTS OF 1930**

#### CHAPTER 46 .- Employment of children

[This act amends sec. 3, ch. 314, Acts of 1924 (sec. 4517, Hemingway's Code of 1917), by requiring, in addition to the affidavit of the parent or guardian as to the age and schooling of any child under 16, a certificate from the school authorities of the district in which such child resided or last attended school, showing compliance with the compulsory school attendance law prior to employment in any mill, cannery, workshop, factory, or manufacturing establishment.]

Approved April 9, 1930.

#### CHAPTER 53.—Group life insurance

[This act merely authorizes, empowers, and directs the State insurance commissioner to promulgate regulations applicable to the writing of optional group insurance on State officials and employees.]

Approved April 22, 1930.

#### CHAPTER 86.—Inspector of factories

[This act fixes the salary of the stenographer and clerk of the State factory inspector at \$1,500.]

Approved May 10, 1930.

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#### **NEW JERSEY**

#### **ACTS OF 1930**

#### CHAPTER 26.—Industrial home work

SECTION 1. Title.—The short title to this act is "The home work act." SEC. 2. Licensing.—No dwelling, tenement, or room or rooms therein, or building situated immediately in the rear of any tenement or dwelling shall be used for the purpose of manufacturing or altering or repairing or finishing or distributing therein for aforesaid purposes, for hire or reward, any goods what-

soever unless a license is secured therefor, as provided in this act.

SEC. 3. Application.—Application for such a license shall be made to the commissioner of labor by any family or a member thereof, or any person, firm, or corporation desiring to manufacture or alter or repair or finish or distribute for aforesaid purposes any goods in any dwelling, tenement, or room or rooms therein, or building situated immediately in the rear of any tenement or dwelling. Each license shall run continuously for a period of one year, whereupon a new or further license must be obtained. Each application for such a license shall describe the dwelling, tenement, or room or rooms therein, or building situated immediately in the rear of any tenement or dwelling, shall specify the number of persons to be employed therein, and shall be in such form as the commissioner of labor may determine. Blank applications shall be prepared and furnished by the commissioner of labor.

Sec. 4. Inspection prior to licensing.—Before any such license is granted, an inspection of the dwelling, tenement, or room or rooms therein, or building situated immediately in the rear of any tenement or dwelling sought to be licensed, shall be made by the commissioner of labor, factory inspector, or investigator. If the commissioner of labor or such inspectors or investigators ascertain that such dwelling, tenement, or room or rooms therein, or building situated immediately in the rear of any tenement or dwelling, is in a clean and proper sanitary condition, and that the goods specified in the application may be manufactured or altered or repaired or finished or distributed for aforesaid purposes therein under clean and healthful conditions, the commissioner of labor shall grant a license permitting the use of such dwelling, tenement, or room or rooms therein, or building situated immediately in the rear of any tenement or dwelling for the purpose of manufacturing, altering, repairing, finishing, or distributing for said purposes such goods.

finishing, or distributing for said purposes such goods.

SEC. 5. Number of persons per room.—Each license shall state the maximum number of persons who may be employed in the dwelling, tenement, room or rooms therein, or building situated immediately in the rear of any tenement or dwelling to which such license relates. The number of persons to be so employed shall be determined by the number of cubic feet of air space contained in each room mentioned in such license, allowing not less than 250 cubic feet for each person employed between the hours of 6 o'clock in the morning and 6 o'clock in the evening, unless by special written permit of the commissioner of labor, and not less than 400 cubic feet for each person employed therein between the hours of 6 in the evening and 6 in the morning, but no permit shall be issued unless such dwelling, tenement, room or rooms therein, or building situated immediately in the rear of any tenement or dwelling has suitable light at all times during such hours as such persons are employed therein.

SEC. 6. Posting of license.—Such license must be posted in a conspicuous place in the room or rooms where the aforesaid work is carried on. Said license may be revoked by the commissioner of labor if the health of the community or of the employees requires it, or if it appears that the place to which such license relates is not in a healthy and proper sanitary condition. Every room in which goods are manufactured or altered or repaired or finished or distributed for said purposes shall be kept in a clean and sanitary condition, and shall be subject to examination and inspection by the commissioner of labor, factory inspectors, investigators, local boards of health, or tenementhouse inspectors for the purpose of ascertaining whether said goods, or any part or parts thereof, are clean and free from vermin and every matter of infectious or contagious nature.

SEC. 7. Diseases.—Any person holding a license issued by the department of labor shall immediately report to the department of labor any case of infectious or contagious disease occurring in the place covered by such license. If the commissioner of labor, factory inspector, investigator, local board of health, or

tenement-house inspector shall find evidence of infectious or contagious disease present in any dwelling, tenement, or room or rooms therein, or any building situated immediately in the rear of any tenement or dwelling, where goods are manufactured or altered or repaired or finished or distributed for such purposes, the commissioner of labor, factory inspector, investigator, local board of health, or tenement-house inspector shall issue such orders as the public health may require and shall condemn and destroy such infectious and contagious goods.

Sec. 8. Unlawful contracts.—It shall be unlawful for any person or corporation to contract with any other person or corporation to manufacture or alter or repair or finish or distribute for said purposes any goods whatsoever in any dwelling, tenement. or room or rooms therein, or buildings situated immediately in the rear of any tenement or dwelling, not licensed as provided in this act. It shall likewise be unlawful for any person or corporation to receive from, handle, or convey to others, or to sell, offer for sale, to expose for sale, or hold in stock any goods that have been manufactured or altered or repaired or finished or distributed for said purposes in any dwelling, tenement, or room or rooms therein, or any building situated immediately in the rear of any dwelling or tenement not licensed as provided in this act.

Sec. 9. Toilets, ventilation, etc.—The commissioner of labor may, when he deems it necessary, require that any and all rooms in any dwelling, tenement, or room or rooms therein, or building situated immediately in the rear of any tenement or dwelling used for the purpose of manufacturing or altering or repairing or finishing or distributing for said purposes any goods, shall be separate from and have no door, window, or other opening into any living or sleeping room. He may further require or direct a separate outside entrance to the rooms where the work is carried on, and if such work is carried on above the first floor, then he may direct that a separate and distinct stairway leading thereto be constructed and every such room shall be well and sufficiently heated and ventilated by ordinary, or, if necessary, by mechanical appliances. He may also require suitable closet arrangements and separate tollets when and as he deems it necessary.

SEC. 10. Registry, inspection of.—Any person, firm, or corporation, by themselves or by their agents, contracting for the manufacturing or altering or repairing or finishing or distributing for said purposes in the place or places regulated by this act of any goods whatsoever, shall keep a register of the names and addresses plainly written in English of the persons to whom such article or goods are given, and the place where the articles are to be so manufactured or altered or repaired or finished or distributed. Such register shall be subject to inspection on demand by the commissioner of labor or factory inspectors or investigators, and a copy thereof shall be furnished at his or their request.

SEC. 11. Articles forbidden.—The manufacturing or altering or repairing or finishing in whole or in part, or distributing for the purposes thereof, of any dolls, dolls' clothing, articles of children's or infants' wearing apparel in any tenement house is hereby prohibited, anything to the contrary herein notwithstanding.

SEC. 12. Approval by board of health.—No dolls, dolls' clothing, articles of children's or infants' wearing apparel shall be manufactured or altered or repaired or finished in whole or in part or distributed for the purposes thereof in any dwelling unless licensed as in this act provided. In addition to the other requirements of this act, no license to manufacture or alter or repair or finish in whole or in part, or distribute for the purposes thereof, any dolls, dolls' clothing, or articles of children's or infants' wearing apparel, shall be granted for any dwelling unless the applicant thereof shall first secure the approval of the local board of health.

SEC. 13. Definition—tenement.—Within the meaning of this act a tenement is any house or building or portion thereof which is rented, leased, let, or hired out to be occupied or is occupied as the home or residence of three families or more, living independently of each other and doing their cooking upon the premises.

SEC. 14. Exemption of employments.—Nothing in this act shall be held to prevent the employment of a tailor or seamstress by any person for the purpose of making, altering, repairing, or finishing any articles of wearing apparel for the personal use of such person or for the personal use of his family.

SECS. 15-17. Violations, actions, etc.—[Violations of act are punishable for first offense, \$25; second violation, \$50; any place where manufacturing is done habitually in violation of the act is considered a disorderly house, for which a fine of \$500 or imprisonment not to exceed 2 years, or both, shall be imposed; any action for the recovery of a penalty must be brought in the name of the commissioner of labor, and be in the nature of an action in debt.]

SEC. 18. Enforcement.—[The enforcement of the act is under the control and

direction of the commissioner of labor.]

Approved March 24, 1930.

CHAPTER 42.—Factory, etc., regulations—Explosives

[This act is directed chiefly to the protection of the public. The act relates to the manufacture, storage, transportation and sale of fireworks. Certificates of registration are issued by the State department of labor. The act further provides for the continuance of chapter 87, Acts of 1925.]

Approved March 25, 1930.

CHAPTER 104.- Employment of labor-Age not ground for discrimination

Section 1. Age not a bar.—No person of the age of 40 years or over applying for employment in the service of the State, or of any county or municipality thereof, shall be discriminated against by reason of age; nor shall the State or any agency thereof, or any county or municipality make any rule or regulation designed to bar any such person from any position or employment as aforesaid: Provided, however, That the provisions of this act shall not apply to the police and fire departments of any county or municipality, or to guards employed in the service of any penal institution of the State, or of any county or municipality.

Sec. 2. Pension eligibility.—Any person of the age of 40 years or over, accepting any employment in the State, or any county or municipality thereof, shall not be eligible to join any pension fund maintained by the State or any county or municipality thereof.

Approved April 14, 1930.

CHAPTER 185.—Protection of employees on buildings—Safety code

[This act provides for a safety code for employees engaged in the construction industry.]

Approved April 18, 1930.

#### NEW YORK

#### **ACTS OF 1930**

CHAPTER 293.—Inspection and regulation of factories

[This act amends sec. 264, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), as amended by ch. 726, Acts of 1928, by allowing the use of linoleum, cork, or rubber composition on floors (excepting stairways), not to exceed ½ inch in thickness.]

Approved April 3, 1930.

CHAPTER 309.—Inspection and regulation of factories

[This act amends sec. 276, ch. 50, Acts of 1921, so as to read as follows:]

Section 276. Inspection.—1. The officer of any city, village, or town having power to inspect buildings therein to determine their conformity to the requirements of law or ordinance governing their construction shall, whenever requested by the commissioner, inspect any factory building therein and certify to the commissioner whether such building conforms to the requirements of this chapter and the rules of the board. Such certificate shall be presumptive evidence of the truth of the matters therein stated.

2. Approval of plans.—Before constructing or altering a building to be used for a factory, the plans and specifications therefor may be submitted to the commissioner in such form as he may require. If they comply with the requirements of this chapter and the rules of the board, the commissioner

shall issue his certificate approving the same. No permit for the construction of any building or structure which is required to conform to the structural requirements of the labor law or the rules adopted thereunder shall be issued by an enforcing authority in any city or village of this State except as provided by chapter 503 of the Laws of 1916, as amended, until the plans have been approved by the commissioner. Nothing herein shall prohibit any local authority from issuing a temporary permit for excavation and foundations, and such temporary permit also shall issue upon notice from the department of labor of the receipt of a request for a variation as provided for in section 30 of this chapter. Such certificate shall be presumptive evidence of the truth of the matters therein stated.

3. Certificate.—After such construction or alteration shall be completed, the commissioner shall, when requested by the owner or person filing the plans, ascertain by inspection whether the building conforms to the requirements of this chapter and the rules of the board. If the commissioner finds that it does so conform he shall issue his certificate to that effect.

Approved April 4, 1930.

#### CHAPTER 323.—Department of labor

[This act amends sec. 18, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909) as amended by ch. 642, Acts of 1921, so as to read as follows:]

SECTION 18. Employees.—The officers, deputy commissioners, and employees of the department of labor in office when this section takes effect shall continue in office subject to the power of removal or the appointment of their successors as provided in this chapter. There shall be in such department and the commissioner may appoint such heads of divisions or bureaus and such inspectors, investigators, statisticians, and other assistants and employees as he shall deem necessary for the exercise of the powers and the performance of the duties of the department.

The commissioner may transfer officers or employees from their positions to other positions in the department, or abolish or consolidate such positions. The commissioner may remove from office any officer or employee in the department. All such transfers, removal of employees or officers, and abolishment or consolidation of positions shall be made in accordance with the provisions of the civil service law.

Approved April 4, 1930.

#### CHAPTER 409.-Bribery of employees

[This act amends sec. 439 (ch. 40, Consol. L. 1909) so as to read as follows:1 Section 439. Offering bribes.—1. A person who gives, offers, or promises to an agent, employee, or servant of another any gift or gratuity whatever, without the knowledge and consent of the principal, employer, or master of such agent, employee, or servant, with intent to influence such agent's, employee's, or servant's action in relation to his principal's, employer's, or master's business; or an agent, employee, or servant who without the knowledge and consent of his principal, employer, or master, requests or accepts a gift or gratuity or a promise to make a gift or to do an act beneficial to himself or to another, under an agreement or with an understanding that he shall act in any particular manner in relation to his principal's, employer's, or master's business, or receives a reward for having so acted; or an agent, employee, or servant, who being authorized to procure materials, supplies, or other merchandise either by purchase or contract for or on account or the credit of his principal, employer, or master, or to employ service or labor for his principal, employer, or master, receives directly or indirectly, for himself or for another, a commission, discount, gift, gratuity, or bonus from the person who makes such sale or contract, or furnishes such materials, supplies, or other merchandise, or from a person who renders such service or labor; and any person who gives or offers such an agent, employee, or servant such commission, discount, or bonus; and any person, corporation, partnership, or other organization who shall use or give to an agent, employee, or servant of another, or any agent, employee, or servant who shall use, approve, or certify, with intent to deceive the principal, employer, or master, any receipt, account, invoice, or other document in respect of which the principal, employer, or master is interested, which contains any statement which is willfully false or erroneous in any material particular or which omits

to state fully the fact of any commission, money, property, or other valuable thing having been given or agreed to be given to such agent, employee, or servant is guilty of a misdemeanor and shall be punished by a fine of not more than \$500 or by imprisonment for not more than one year, or by both such fine and imprisonment.

2. If any person shall ask to be excused from testifying or producing any book, paper, or other document before any court, grand jury, or magistrate, upon any trial, inquiry, or proceeding initiated pursuant to the provisions of this section upon the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or to convict him of a crime or to subject him to a penalty or forfeiture, and shall, notwithstanding, be directed by the court, magistrate, or officer conducting any such trial, proceeding, or inquiry to testify or to produce such book, paper, or document, he must none the less comply with such direction, but in such event he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he may testify or produce evidence, documentary or otherwise, pursuant thereto, and no testimony so given or produced shall be received against him upon any criminal action, suit, or proceeding, investigations, inquisition or inquiry: Provided, however, No person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony given as herein provided for, nor shall immunity apply to corporations or to the officers as such.

3. Should any provision of this section be declared unconstitutional by the decision of any court, such decision shall affect the provision so declared unconstitutional and shall not affect any other provision of the section.

Approved April 11, 1930.

#### CHAPTER 425.—Department of labor

[This act amends ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), by adding a new section (21-a) after sec. 21 so as to read as follows:]

Section 21-a. Study of employment problems.—For the purpose of improving the State public employment offices and cooperating with the Federal authorities in an intelligent long-time-employment program, the industrial commissioner is hereby authorized to make a thoroughgoing, impartial, and objective study of the employment offices maintained by the State of New York, and in this connection to operate a laboratory experiment or demonstration stations. In order to make such study and operate such laboratory the industrial commissioner shall appoint an advisory committee which shall include the director of the United States Employment Service. The industrial commissioner is hereby authorized to accept a contribution or contributions of funds to be used in his discretion to carry out the purposes of this section and to assist in the supervision and conduct of this study, and shall make an annual report on the progress of the same.

Approved April 14, 1930.

CHAPTER 512.—Explosives, storage, manufacture, etc.

[This act amends secs. 450 (subd. 2), 452, 453, 454, 458 (subd. 1), 460, ch. 50, Acts of 1921 (ch. 31. Consol. L. 1909) as amended by ch. 421, Acts of 1922, relative to the storage and sale of explosives. The sections were not reproduced in Bulletin No. 370 because they relate rather to the subject of public safety than to the employment relation. They are therefore not reproduced here.]

Approved April 16, 1930.

#### CHAPTER 585.—Department of labor

[This act amends sec. 17, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), as amended by ch. 166, Acts of 1927, so as to read as follows:]

Section 17. Salaries and expenses.—The commissioner and members of the industrial board shall devote their entire time to the duties of their respective offices. The commissioner shall receive an annual salary of \$12,000; each member of the industrial board shall receive an annual salary of \$8,500. The reasonable and necessary expenses of the department and the reasonable and necessary traveling and other expenses of the commissioner, deputy commissioner, members of the industrial board, and other officers and employees of the department, while actually engaged in the performance of their duties, outside

of the city of Albany, or if any such officer or employee be in charge of or actually employed at a branch office of the department, the reasonable and necessary traveling and other expenses outside of the place in which such branch office is located shall be paid from the State treasury upon the audit and warrant of the comptroller, upon vouchers approved by the commissioner.

Approved April 18, 1930.

#### CHAPTER 603.—Protection of employees on buildings

[This act amends the following sections of the labor law by including the "demolition" of buildings—par. A, subd. 1, sec. 28; subd. 1, sec. 240; sec. 241 (as amended by ch. 1, Acts of 1922) of ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909). Sections 1276 and 1277 of the penal law were also amended so as to include violations of the law in "demolishing" buildings.]

Approved April 19, 1930.

#### CHAPTER 604.—Inspection and regulation of factories and workshops

[This act amends ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), by adding a new section (203-a) following section 203, so as to read as follows:]

Section 203-a. Seats for elevator operators.—Every passenger elevator operated and maintained for use by the public shall be equipped or furnished with a seat, collapsible or otherwise, for the use of the operator when the elevator is not being operated, provided the operator thereof is not allowed a continuous recess period of at least 15 minutes in every 3 hours in addition to and apart from a lunch period of at least 45 minutes. The provisions of this section shall not apply to elevators in factory buildings or any other building having only one passenger elevator.

Approved April 19, 1930.

#### CHAPTER 605.—Inspection and regulation of factories

[This act amends sec. 2, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), by adding a new subdivision (13) so as to read as follows:]

13. "Public building" shall include a factory building, an office building, a mercantile building, a hotel building, a theater building, a warehouse building, an apartment building, a State or municipal building, a school, a college or university building, a building containing a place of public assembly maintained or leased for pecuniary gain, or any other building more than one story high except a dwelling house less than three stories high or occupied by less than three families.

[This chapter also amends ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), by adding a new section (202) so as to read as follows:]

SECTION 202. Window cleaners.—The owner, lessee, agent, manager, or superintendent in charge of a public building shall not require nor permit any window in such building to be cleaned from the outside unless means are provided to enable such work to be done in a safe manner. A person engaged at cleaning windows of a public building from the outside shall use the safety devices provided for his protection.

The industrial board may make rules supplemental to this section by designating safety devices of an approved type and strength to be installed on public buildings or to be worn by window cleaners, or both, but the absence of any such rules shall not relieve any person from the responsibility placed upon him by this section.

Approved April 19, 1930.

#### CHAPTER 689.—Employment on public works

[This act amends sec. 222, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), so as to read as follows:]

SECTION 222. Preference in employment.—In the construction of public works by the State or a municipality, or by persons contracting with the State or a municipality, preference shall be given to citizens of the State of New York. Persons other than citizens of the State of New York may be employed when such citizens are not available. In each contract for the construction of public works a provision shall be inserted that if this section is not complied with the contract shall be void. All boards, officers, agents, or employees of cities having

a population of 175,000 or more, according to the last State enumeration or Federal census, having the power to enter into contracts which provide for the expenditure of public money on public works, shall file in the office of the department the names and addresses of all contractors holding contracts with said cities. Upon the demand of the commissioner a contractor shall furnish a list of the names and addresses of all his subcontractors. Each contractor performing work for such city shall keep a list of his employees, stating whether they are native-born citizens or naturalized citizens, and in case of naturalization, the date thereof, and the name of the court in which granted. A violation of this section shall constitute a misdemeanor and shall be punishable by a fine of not less than \$50 nor more than \$500, or by imprisonment for not less than 30 nor more than 90 days, or by both fine and imprisonment.

Approved April 23, 1930.

#### CHAPTER 748 .- Hours of labor

[This act amends sec. 161, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), so as to read as follows:]

SECTION 161. Day of rest.—Every employer operating factory, mercantile establishment, or freight or passenger elevator in any building or place shall, except as herein otherwise provided, allow every person employed in such establishment or in the care, custody, or operation of any such elevator, at least 24 consecutive hours of rest in any calendar week. Every employer operating a place in which motion pictures are shown shall allow the projectionist or operator of the motion-picture machine therein at least 24 consecutive hours of rest in any calendar week. No employer shall operate such establishment, place, or elevator on Sunday unless he shall comply with subdivision 3. This section does not authorize any work on Sunday not permitted now or hereafter by law.

Approved April 24, 1930.

#### CHAPTER 804.—Hours of labor—Grade crossings

[This act amends ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909), by adding a new article 8-a (secs. 225-227), so as to read as follows:]

SECTION 225. Hours of labor and wages.—All work of every kind upon the elimination of railroad grade crossings under article 7, section 14, of the constitution, under chapters 677, 678, 806, 825 of the Laws of 1928 and chapter 681 of the Laws of 1929, or acts amendatory of or supplemental thereto, or under acts which such statutes amended or supplemented, or under the railroad law, the highway law, or any other general or special law, for the cost of which work the State and/or its civil divisions is liable in any proportion is hereby declared to be public work for the State and/or for its civil divisions, and the wages and the hours of work and labor of all laborers, workmen, or mechanics employed on such work, whether by the State or by a municipality or by a board or commission appointed pursuant to law, or by a railroad or other corporation intrusted with the performance of such work, or by any contractor or subcontractor on such work, shall hereafter be subject to and in accord with the provisions of article 8 of this chapter, and every contract for such elimination work hereafter entered into shall contain a stipulation that no laborer, workman, or mechanic in the employ of the contractor, subcontractor, or other person doing or contracting to do the whole or a part of the work contemplated by the contract shall be permitted or required to work more than 8 hours in any one calendar day except in cases of extraordinary emergency caused by fire, flood, or danger to life or property. No such person shall be employed more than 8 hours in any day except in such emergency.

SEC. 226. Prevailing wage rate.—The wages to be paid for a day's work of 8 hours as referred to hereinbefore to laborers, workmen, or mechanics upon such public works shall be not less than the prevailing rate for a day's work in the same trade or occupation in the locality within the State where such public work on, about, or in connection with which such labor is performed in its final or completed form is to be situated, erected, or used, and shall be paid in cash. Every contract for such elimination work, hereafter entered into, shall contain a provision that each laborer, workman, or mechanic, employed by a contractor, subcontractor, or other person about or upon such public work shall be paid the wages herein provided.

Sec. 227. Enforcement of act.—The procedure for ascertaining and determining the hours of labor and the prevailing rate of wage shall be as pre-

scribed by section 220 of this chapter, except that the "fiscal officer," referred to therein shall in every instance, for the purposes of this article, be the State industrial commissioner.

Upon the entry of any order of the industrial commissioner affecting either such hours of labor or rate of wages, any party to the proceeding aggrieved thereby may make application for certiorari within 30 days from the notice of the filing of such order in the office of the industrial commissioner. If such order is not reviewed by certiorari or is so reviewed and confirmed and the determination is in favor of the complainant and involves or relates to the rate of wages paid on such public work, the complainant or any other person affected may within three months after the service of notice of the filing of such order, or the determination upon certiorari, if the order is reviewed, institute an action against the person or corporation found violating this article for the recovery of the difference between the sum actually paid and the amount which should have been paid as determined by such order for the period following the date of the filing with the industrial commissioner of the complaint or of the report of investigation made by the industrial commissioner on his own initiative.

When an order of the industrial commissioner has been made, any person or corporation that willfully refuses thereafter to pay the prevailing rate of wages determined by said order, or willfully employs on such public work laborers, workmen, or mechanics more than the hours per day determined by such order until such order has been changed by the industrial commissioner or by the court after adjudication upon the merits, shall be guilty of a misdemeanor, and upon conviction shall be punished for a first offense by a fine of \$500 or by imprisonment for not more than 30 days, or by both such fine and imprisonment; for a second offense by a fine of \$1,000 or by imprisonment for not more than 90 days, or by both such fine and imprisonment, and after conviction of a second offense no such person or corporation shall be entitled to receive any sum of money, nor shall any officer, agent, or employee of the State or of a municipal corporation or of a board or commission appointed pursuant to law pay the same or authorize its payment from the funds under his charge or control to any such person or corporation or to any other person or corporation for or on account of work done upon any such contract.

Approved April 25, 1930.

#### CHAPTER 857.—Inspection and regulation of factories

[This act amends subd. 10, sec. 2, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909),

so as to read as follows:]
10. "Factory building" means a building, shed, or structure which, or any part of which, is occupied by or used for a factory, and in which at least one-tenth or more than 25 of all the persons employed in the building are engaged in work for a factory, but shall not include a building used exclusively for dwelling purposes above the first story, nor a building, in a city having a population of more than one million, used exclusively by one employer and in which not more than one-tenth of all the persons employed therein are engaged in work for a factory and which, except for such factory work, would be classified as a mercantile establishment. The provisions of this chapter shall, so far as prescribed by the rules, also apply to a building, not a factory building, any part of which is occupied or used for a factory, except as otherwise provided by this subdivision.

Approved April 28, 1930.

#### CHAPTER 858.—Inspection and regulation of factories

[This act amends sec. 270, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909) as amended (subd. 2) by ch. 726, Acts of 1928, by adding after subd. 7 a new paragraph to read as follows:]

The provisions of this section shall not apply to a building, in a city having a population of more than one million, used exclusively by one employer and in which not more than one-tenth of all the persons employed therein are engaged in work for a factory and which, except for such factory work, would be classified as a mercantile establishment.

Approved April 28, 1930.

#### CHAPTER 867.—Hours of labor—Women

[This act amends sec. 181, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909) as amended by ch. 567. Acts of 1928, to read as follows:]

amended by ch. 567, Acts of 1928, to read as follows:]

SECTION 181. Females over 16.—Except from the 18th day of December to the following 24th of December, inclusive, no female over 16 years of age shall be employed in or in connection with any mercantile establishment:

(a) More than 6 days or 48 hours in any week, except as provided in subdivisions b and c of this section;

(b) More than 8 hours in any day, except that she may be employed 9 hours on one day of each week, in order to make one or more shorter workdays in the week, in which event she may be employed on 5 days of the week at not to exceed 9 hours on each of such days and not more than 4½ hours on such shorter workday and not in excess altogether of 49½ hours in each week;

(c) Notwithstanding the provisions of paragraphs a and b and in addition to the hours of work therein authorized, a female may be employed overtime for not to exceed a total of 78 hours in any calendar year, provided that the total employment of such female in any week in any such calendar year shall not exceed 5 days or 5 days and a shorter workday of no more than 4½ hours, including such overtime employment. In the distribution of such overtime herein authorized no female shall be required, permitted, or suffered to work more than 10 hours on any day except on one day of the week, but in no case shall she be employed, including overtime, for more than 5 days plus 41/2 hours on any sixth day nor more than 54 hours in any week. Before the commencement of such overtime employment the employer shall post a notice on a form furnished by the commission stating the amount of overtime which shall be required in each room where the employees are employed or report for duty. and in cases where less than all the employees are to be employed on overtime the names of the employees to work during such overtime shall be posted also. A copy of such notice shall be forthwith mailed to the commissioner;

(d) Between the hours of 10 o'clock in the evening and 7 o'clock in the morning.

The provisions of this section prohibiting employment more than 6 days a week and between the hours of 10 o'clock in the evening and 7 o'clock in the morning shall not apply to female writers or reporters employed in newspaper offices or to duly licensed pharmacists.

Approved April 28, 1930. [This law was amended in 1931, ch. 509, by reducing the overtime allowance permitted under the former law.]

#### CHAPTER 868.—Hours of labor—Women

[This act amends sec. 172, ch. 50, Acts of 1921 (ch. 31, Consol. L. 1909) as amended by ch. 453, Acts of 1927, so as to read as follows:]

SECTION 172. Females.—1. No female over 16 years of age shall be employed in a factory, except as provided in section 173:

(a) More than 6 days or 48 hours in any week, except as provided in subdivisions b and c of this section;

(b) More than 8 hours in any day, except that she may be employed 9 hours a day to make a shorter workday or holiday on any one day of the week, in which event she may be employed on 5 days of the week at not to exceed 9 hours on each of such days and not more than 4½ hours on such shorter workday and not in excess altogether of 49½ hours in any such week;

(c) Notwithstanding the provisions of paragraphs a and b and in addition to the hours of work therein authorized, a female may be employed overtime for not to exceed a total of 78 hours in any calendar year: Provided, That the total employment of such female in any week in any such calendar year shall not exceed 5 days or 5 days and a shorter workday of no more than 4½ hours, including such overtime employment. In the distribution of such overtime herein authorized, no female shall be required, permitted, or suffered to work more than 10 hours on any day, and in no case shall she be employed for more than 5 days plus 4½ hours on any sixth day nor more than 54 hours in any week. Before the commencement of such additional or overtime employment the employer shall post a notice on a form furnished by the commissioner, stating the amount of overtime which shall be required, in each room where the employees are employed or report for duty, and in cases where less than all the employees are to be employed on overtime the names of the employees to work during such overtime shall be posted also. A copy of such notice shall be forthwith mailed to the commissioner.

2. In no case shall a female under 21 years of age be employed in any factory between the hours of 9 o'clock in the evening and 6 o'clock in the morning, or a female over 21 years of age between the hours of 10 o'clock in the evening and 6 o'clock in the morning.

Approved April 28, 1930.

#### PORTO RICO

#### ACTS OF 1930

Act No. 28.—Employment of women and children—General provisions

[This act amends sec. 1, act No. 73, Acts of 1919, so as to read as follows:] Section 1. Hours for women.—No woman shall be employed or allowed to work at any lucrative occupation during the hours between 10 o'clock at night and 6 o'clock in the morning, nor more than 8 hours during any natural day, nor more than 48 hours during any week: Provided, however, That the limitation of 8 hours may be extended to not exceed 9 hours during any natural day provided that any woman so employed for wages during more than 8 hours in any natural day shall be paid for work done during such extra time at a rate double the rate paid her for the preceding 8 working hours; but in no case shall a woman be employed or allowed to work more than 48 hours during any week: Provided, That in the industry of packing, canning, or refrigeration of fruits or vegetables any woman over 16 years of age who is not pregnant may be employed during the night hours if she has not worked during the day, but for not more than 8 hours nor more than 48 hours during the week.

This section shall not be applicable to women over 16 years of age employed as telephone operators, telegraphers, artists, nurses, or domestics.

Approved April 24, 1930.

#### Acr No. 43.—Payment of wages—Discharged employees

SECTION 1. Payment required.—Every employee of an industry or other lucrative business whose services are contracted for without a definite term, and whose salary is agreed upon by the month, fortnight, or week, who is discharged without just cause and without previous notice served at least 15 days prior to his discharge, shall be entitled to receive from his principal or employer such salary as he may have earned and one month's, one fortnight's, or one week's additional salary as the case may be: Provided, That the provisions of this act shall not be applicable to commercial shop clerks or factors, to whom the provisions of the Code of Commerce shall apply.

Sec. 2. Enforcement, legal action, etc.—In actions instituted by an employee against his employer to enforce the provisions of this act, if judgment is rendered against the employer, he may be sentenced to the payment of costs, including attorney's fees.

Approved April 28, 1930.

#### ACT No. 46.—Public employment office

[This act merely creates a bureau of commerce and industry. An employment service is to be organized in the New York agency, the purpose of which is to obtain employment for persons residing in Porto Rico desiring to go to the United States and for unemployed natives of Porto Rico residing in the United States.]

Approved April 28, 1930.

#### ACT No. 47.—Protection of employees as voters

SECTION 1. Coercion, etc., by employers.—Every employer who seeks by coercion, intimidation, or threats to dismiss, or who refuses to employ, or who reduces the wages of any workman, for the purpose of inducing him to vote at any legal election according to the will of the employer or of any of his agents, or who in any manner demands of the laborer employed by him that he exhibit the ballot for examination by the employer or any other person representing him, shall be guilty of a misdemeanor.

SEC. 2. By officers or agents.—Any officer, employee, or agent of a corporation, firm, or other person, invested with power and authority to dismiss laborers

or to employ them, who by coercion in any manner attempts to dismiss any such laborer or to reduce his compensation as such laborer, in order to induce him to vote at any legal election according to the desires of the corporation, or of the officer or agent representing it, or who in any manner attempts to examine the ballot of such laborer, shall be guilty of a misdemeanor.

SEC. 3. Ousting of employee from home.—Any corporation, firm, employer, officer, or agent who, on account of political opinions, three months prior to or after any legal election, directs or promotes any kind of proceedings for the purpose of ousting from his home any laborer who has been employed by such corporation, firm, or employer, and who has occupied lands thereof, or land owned by the employer, for at least two years prior to the date of the election, shall be guilty of a misdemeanor.

SEC. 4. Blacklisting of employee.—Any person, firm, corporation, employer, agent, or person in charge, who, on account of political opinions, in any manner whatever induces or notifies another firm, corporation, or employer not to give work to one or more laborers, and that their names be recorded in any manner so that no work be given them, or to prevent their obtaining work at any other place, shall be guilty of a misdemeanor.

SEC. 5. Violations.—Any corporation, firm, employer, or their agents, officers, or persons in charge, who violate any of the sections of this act or any part thereof, upon conviction shall be sentenced to pay a fine of not more than \$5,000 nor less than \$500, or by imprisonment for not more than one year nor less than six months.

Approved April 28, 1930.

Acr No. 53 .- Factory, etc., regulations-First-aid provisions

[This act amends secs. 1 and 3, act No. 41, Acts of 1917 (as amended by act No. 16, Acts of 1928), so as to read as follows:]

Section 1. Scope of law.—That every owner of a sugar factory, dock, factory, workshop, electric or hydraulic plant, or building where power-driven machinery is used, boxing stadium, or race track, whether inside or outside of the urban zone, whose employees exceed 50 in number, is hereby obliged to provide a dispensary sufficiently stocked with medicines and an emergency room for cases of accident: Provided, That the provisions of this section, in so far as the maintenance of an emergency room is concerned, shall not be applicable to dressmaking establishments where only small motors are used for the operation of sewing machines: Provided, That the provisions of this section, in so far as the maintenance of an emergency room, a physician, and a minor surgeon is concerned, shall not be applicable to factories for the packing of fruits, provided that such motors are so covered as to prevent danger to the operators in such establishments.

Sec. 3. Physician.—It shall be the duty of every owner of a sugar factory, dock, factory, workshop, boxing stadium, electric or hydraulic plant where power-driven machinery is used, or race track, whether inside or outside of the urban zone, whose employees exceed 50 in number to contract for the services of a physician and a minor surgeon (practicante) or nurse, duly authorized, for such accidents as may occur: Provided, That said minor surgeon (practicante) or nurse shall be at the factory, workshop, dock, etc., during work hours: Provided, That the provisions of this section shall not be applicable to dressmaking establishments where only small motors are used for the operation of sewing machines, provided that such motors are so covered as to prevent danger to the operators in such establishments.

Approved April 28, 1930.

ACT No. 54.—Employment of labor—Sundays and holidays—Closing time

SECTION 1. [Section 553 of the Penal Code (as last amended by act No. 18, Acts of 1925) is hereby amended to read as follows:]

SEC. 553. When establishments are to be closed; exceptions.—That all day Sundays, except when the 24th of December and the 1st and 5th of January fall on Sunday; on the first Monday in September (Labor Day) and the 4th of July; on all legal holidays from 12 a. m.; on all Saturdays from 9 p. m.; on all working-days from 6 p. m., and on the 24th and 31st days of December, and the 5th day of January of each year, from 10 p. m., commercial and industrial establishments shall remain closed to the public; and one hour after closing no

work of any kind shall be permitted the employees of said establishments except those stated below:

1. Libraries, sugar and alcohol factories, factories for packing, canning, and

refrigeration of fruits and vegetables, and coffee-cleaning mills.

- 2. Public markets, printeries, garages, and bakeries: Provided, That establishments and stands for the sale of provisions and merchandise in public market places shall not be exempt from the provisions of this act, the products and vegetables of this country not to be considered as such provisions and merchandise.
- 3. Establishments where refreshments and coffee as a beverage only are sold; restaurants, cafés, hotels, inns, confectionery, and pastry stores, and such stands as sell only candies, matches, manufactured tobacco, and newspapers.

4. Casinos, billiard rooms, ice depots, meat stands, and milk depots.

- 5. Slaughterhouses, dairies, livery stables, piers or docks, and undertaking establishments.
- 6. Public and quasi-public utilities and works of emergency necessary to prevent danger or considerable financial losses.
- 7. Theaters, hippodromes, and other places devoted exclusively to amusement or charitable purposes, so far as relates to said purposes.
- 8. Pharmacies, the closing of which shall be regulated by ordinances enacted by the municipal assemblies: Provided, That in no case shall municipalities order the closing of pharmacies between the hours of 7 a. m. and 6 p. m., working-days.
- Sec. 2. Weekly day of rest .- That employees and clerks of enterprises and establishments not exempted by law, and who render services on the basis of an annual, monthly, or weekly salary, or in any form other than for wages or piecework at a fixed price, shall be entitled to one day of rest for every six days of work at full salary.
- SEC. 3. Violations.—That all violations of this act shall be punished by a maximum fine of \$100 for the first offense, or by imprisonment for a maximum term of 30 days, and subsequent violations shall be punished by a fine of from \$20 to \$100, or by imprisonment from 5 to 30 days, or by both penalties in the discretion of the court.

Approved April 28, 1930.

#### ACT No. 59.—Department of agriculture and labor

[This act amends secs. 4, 5, 6, and 51, act No. 35, Acts of 1925, so as to read in part as applicable to labor as follows:]

Section 4. Bureaus.—The department of agriculture and labor shall consist of the following office and divisions: \*

(c) Division of labor.

The division of labor shall consist of the following bureaus and services:

- (a) Office of the assistant commissioner for labor, who shall have all the duties and obligations determined in the bureau of labor act (act No. 65). approved July 16, 1921, and in addition shall have charge of labor statistics and of the supervision and enforcement of the laws for the protection of the labor of women and children, and of lectures on labor problems and the investigation thereof.
  - (b) Bureau of mediation and conciliation.(c) Workmen's compensation bureau.

  - (d) Employment and industrial development bureau.

(e) Wage protection and claim bureau.

- Sec. 5. Office of commissioner.—The office of the commissioner shall be organized as follows: \* \*
  - (c) The assistant commissioner for labor. \* \*
  - (f) A secretary to the assistant commissioner for labor.

Sec. 6. Duties of assistant commissioner of labor .-- The assistant commissioner for labor shall be under the direction of the commissioner. He shall have charge and the immediate direction of the division of labor with all its offices, services, and bureaus, and shall supervise and enforce all laws for the protection of labor. He shall aid the commissioner in his functions and shall perform such other duties as the law or the commissioner may assign to him.

The assistant commissioner for labor shall be a member ex officio of all commissions or boards heretofore or hereafter legally constituted to encourage and develop the welfare of the laborers of Porto Rico, to better their labor conditions, to promote their opportunities to obtain lucrative employment, to protect the lives, health, and safety of employees and workmen, and to intervene in the solution of industrial and agricultural conflicts between workmen and employers.

Sec. 51. Division of labor.—The secretary to the assistant commissioner for labor shall perform such functions and duties as the assistant commissioner for labor may assign to him. The same shall be the case with such stenographers and other employees as the assistant commissioner for labor may have to utilize in his office.

The mediation and conciliation bureau shall consist of the following personnel:

The mediation and conciliation commission as created by act No. 36, approved June 3, 1919, a secretary and a messenger appointed by said commission for its exclusive service, and two agents or mediators appointed by the commission to intervene in industrial or agricultural conflicts between laborers and employers when the aforesaid commission may deem it necessary.

The workmen's compensation bureau shall consist of the following personnel: The industrial commission as created by act No. 85, approved May 14, 1928, or by special laws applicable thereto, with such personnel as it may need to perform the work entrusted to it.

The employment and industrial development bureau shall consist of the following personnel:

One chief with such personnel as may be necessary to effectively operate the general employment agency created by act No. 51, approved July 14, 1923, and to execute in like manner joint resolution No. 42, approved May 13, 1927, creating the industrial office; and with authority and means to extend the activities of this bureau outside of Porto Rico through agents paid for their services; and to execute any other laws which in connection with this service the Legislature of Porto Rico may hereafter enact.

The wage protection and claim bureau, as created by law, shall consist of the following personnel:

One claim agent who shall be a competent attorney at law of integrity, who shall receive, consider, and decide all complaints filed by workmen or employees against employers negligent in the payment of their wages or salaries, or who have refused to make such payments. He shall take action on such complaints and claims and shall institute civil or criminal proceedings against such employers, as the case may be, where such procedure is necessary, and he shall interpret and supervise wage or metayer labor contracts.

Approved April 29, 1930.

#### RHODE ISLAND

#### **ACTS OF 1930**

#### CHAPTER 1550.—Inspection of steam boilers

[This act amends sec. 15, ch. 94, Gen. L., 1923 (as amended by ch. 627, Acts of 1925), by increasing the annual appropriation of the office of inspector of steam boilers.]

Approved April 16, 1930.

CHAPTER 1553.—Factory, etc., regulations—Duties of factory inspectors

[This act amends sec. 3, clauses A, F, and G, ch. 85, Gen. L., 1923 (as amended by ch. 1310, Acts of 1929), so as to read as follows:]

Section 3. Inspectors.—Clause A. The governor shall, during the month of January, A. D. 1932, and in that month every third year thereafter appoint, with the advice and consent of the senate, a chief factory inspector, a first deputy factory inspector, a second deputy factory inspector, a third deputy factory inspector, one of which said deputies shall be a woman, whose term of office shall be three years, and until their successors shall be appointed and so qualified; and the governor shall, daring the January session, 1930, appoint, with the advice and consent of the senate, the present deputy factory inspector to be first deputy factory inspector, one of the present assistant factory inspectors to be third deputy factory inspector, one of the present assistant factory inspectors to be third deputy factory inspector, one of the present assistant factory inspectors to be the fourth deputy factory inspector, and appoint a fifth deputy factory inspector, each to hold office until January 31, 1932, and until their

respective successors shall be so appointed and qualified. Any vacancy which may occur in said office when the senate is not in session shall be filled by the governor until the next session thereof, when he shall, with the advice and consent of the senate, appoint some person to fill such vacancy for the remainder of the term.

Clause F. Said inspectors shall devote their whole time and attention to the duties of their respective offices. The chief factory inspector shall organize the work of said deputies and may place said deputies in charge of certain parts of the same and he shall designate which of said deputies shall act in case of

his absence or disability.

Clause G. The annual salary of the chief factory inspector shall be \$3,200; of the first deputy factory inspector, \$2,500; of the second deputy factory inspector, \$2,500; of the third deputy factory inspector, \$2,500; of the fourth deputy factory inspector, \$2,300; of the fifth deputy factory inspector, \$2,300.

Approved April 16, 1930.

CHAPTER 1556.—Free public employment offices

[This act amends sec. 10, ch. 88, Gen. L. 1923, by providing that the legislature must make an annual appropriation for carrying out the provisions of the act establishing free employment offices in certain cities and towns.]

Approved April 16, 1930.

CHAPTER 1606.—Bureau of industrial statistics

[This act amends sec. 4, ch. 87, Gen. L. 1923, by specifying that the annual report of city and town treasurers to the commissioner of labor must be furnished within 30 days of the close of the fiscal year.]

Approved April 23, 1930.

#### SOUTH CAROLINA

#### **ACTS OF 1930**

No. 780.—Accidents to highway employees—Provisions for first aid

[This act authorizes the State highway department to furnish all necessary first aid to employees injured while engaged in the discharge of their official duties.]

Approved March 31, 1930.

#### **VIRGINIA**

#### ACTS OF 1930

CHAPTER 185 .- Retirement of employees -- Pensions, etc.

Section 1. Power of corporations.—Any corporation of this State, or any consolidated corporation existing under the laws of this and any other State or States, whether organized under special or general act or acts, may grant, allow, and pay a pension or other gratuity to any officer or employee who has retired from the service of the corporation after having been in the employ, continuously or otherwise, of the corporation or any of its predecessors or constituent companies for a period of 10 years; or to any officer or employee who has been employed for a shorter period than 10 years, who, while in the service of any such corporation or any of its predecessor or constituent companies, has become physically or mentally incapacitated from performing his or her duties; such pension or allowance to be payable in such amounts, at such times and upon such conditions, for life or for such shorter period, and to be revocable or irrevocable, all as the board of directors of the corporation in its discretion shall determine.

Approved March 19, 1930.

CHAPTER 444. - Factory, etc., regulations - Fire escapes

[This act amends sec. 3141, Code, 1919, by providing for the installation of fire escapes on school buildings; and on any building where as many as 10 persons are employed above the second floor.]

Approved March 27, 1930.

#### UNITED STATES

#### SEVENTY-FIRST CONGRESS, SECOND SESSION, 1929-30

CHAPTER 414 (46 Stat. L. 524).—Vocational rehabilitation—Cooperation with the States

This act amends an act of June 2, 1920 (41 Stat. L. 735), as amended June 5, 1924 (43 Stat. L. 431), so as to read as follows:

SECTION 1. Purpose, appropriation, conditions of allotment.—That in order to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their placement in employment there is hereby authorized to be appropriated for the use of the States, subject to the provisions of this act, for the fiscal year ending June 30, 1931, the sum of \$1,000,000; for the fiscal year ending June 30, 1932, the sum of \$1,000,000; and for the fiscal year ending June 30, 1933, the sum of \$1,000,000. Said sums shall be allotted to the States in the proportion which their populations bear to the total population in the United States, not including Territories, outlying possessions, and the District of Columbia, according to the last preceding United States census: Provided, That the allotment of funds to any State shall not be less than a minimum of \$10,000 for any fiscal year: Provided further, That such portions of the sums allotted that will not be used in any fiscal year may be allotted in that year proportionally to the States which are prepared through available State funds to use the additional Federal funds. And there is hereby authorized to be appropriated for each of the fiscal years ending June 30, 1931, June 30, 1932, and June 30, 1933, the sum of \$97,000, or so much thereof as may be needed, which shall be used for the purpose of providing the minimum allotments to the States provided for in this section.

All money expended under the provisions of this act from appropriations authorized by section 1 shall be upon the condition (1) that for each dollar of Federal money expended there shall be expended in the State under the supervision and control of the State board at least an equal amount for the same purpose: Provided, That no portion of the appropriations authorized by this act shall be used by any institution for handicapped persons except for vocational rehabilitation of such individuals entitled to the benefits of this act as shall be determined by the Federal board; (2) that the State board shall annually submit to the Federal board for approval plans showing (a) the plan of administration and supervision of the work; (b) the qualifications of directors, supervisors, and other employees; and (c) the policies and methods of carrying on the work; (3) that the State board shall make an annual report to the Federal board on or before September 1 of each year on the work done in the State and on the receipts and expenditures of money under the provisions of this act; (4) that no portion of any money authorized to be appropriated by this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, preservation, erection, or repair of any building or buildings or equipment, or for the purchase or rental of any lands; (5) that all vocational rehabilitation service given under the supervision and control of the State board shall be available, under such rules and regulations as the Federal board shall prescribe, to any civil employee of the United States disabled while in the performance of his duty.

SEC. 2. Action by States.—That in order to secure the benefits of the appropriations authorized by section 1 any State shall, through the legislative authority thereof (1) accept the provisions of this act; (2) empower and direct the board designated or created as the State board for vocational education to cooperate in the administration of the provisions of the vocational education act, approved February 23, 1917 (United States Code, title 20, ch. 2), to cooperate as herein provided with the Federal Board for Vocational Education in the administration of the provisions of this act; (3) in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency, and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State: (4) provide for the supervision and support of the program of vocational rehabilitation to be provided by the State board in carrying out the provisions of this act; (5) appoint

as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursement of all money paid to the State from said appropriations: *Provided*, That any State which, prior to June 30, 1930, has accepted and otherwise complied with the provisions of the act of June 2, 1920, as amended June 5, 1924, shall be deemed to have accepted and

complied with the provisions of this amendment to said act.

SEC. 3. Federal board.—That the Federal Board for Vocational Education shall have power to cooperate with State boards in carrying out the purposes and provisions of this act, and is hereby authorized to make and establish such rules and regulations as may be necessary or appropriate to carry into effect the provisions of this act in order to provide for the vocational rehabilitation of disabled persons and their placement in employment; and to cooperate, for the purpose of carrying out the provisions of this act, with such public and private agencies as it may deem advisable. It shall be the duty of said board (1) to examine plans submitted by the State boards and approve the same if believed to be feasible and found to be in conformity with the provisions and purposes of this act; (2) to ascertain annually whether the several States are using or are prepared to use the money received by them in accordance with the provisions of this act; (3) to certify on or before the 1st day of January of each year to the Secretary of the Treasury each State which has accepted the provisions of this act and complied therewith, together with the amount which each State is entitled to receive under the provisions of this act; (4) to deduct from the next succeeding allotment to any State whenever any portion of the fund annually allotted has not been expended for the purpose provided for in this act as a sum equal to such portion; (5) to withhold the allotment of moneys to any State whenever it shall be determined that moneys allotted are not being expended for the purposes and conditions of this act; and (6) to require the replacement by withholding subsequent allotments of any portion of the moneys received by the custodian of any State under this act that by any action or contingency is diminished or lost: *Provided*, That if any allotment is withheld from any State the State board of such State may appeal to the Congress of the United States; and if the Congress shall not, within one year from the time of said appeal, direct such sum to be paid, it shall be covered into the Treasury.

SEC. 4. Objects specified.—That there is hereby authorized to be appropriated to the Federal Board for Vocational Education the sum of \$80,000 annually for a period of three years, commencing July 1, 1930, for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees, under its orders, including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia and elsewhere, purchase of books of reference, law books, and periodicals, stationery, typewriters, and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary

expenses.

A full report of all expenses under this section, including names of all employees and salaries paid them, traveling expenses and other expenses incurred by each and every employee and by members of the board, shall be submitted annually to Congress by the board.

SEC. 5. Effective date.—This act shall take effect on July 1, 1930.

Approved June 9, 1930.

CHAPTER 873 (46 STAT. L. 1019).—Department of Labor

[This act amends sec. 4 of an act of March 4, 1913 (37 Stat. L. 736), by adding a new paragraph so as to read as follows:]

SECTION 4. Bureau of Labor Statistics.—The Bureau of Labor Statistics shall also collect, collate, report, and publish at least once each month full and complete statistics of the volume of and changes in employment, as indicated by the number of persons employed, the total wages paid, and the total hours of employment, in the service of the Federal Government, the States and political

subdivisions thereof, and in the following industries and their principal branches: (1) Manufacturing; (2) mining, quarrying, and crude petroleum production; (3) building construction; (4) agriculture and lumbering; (5) transportation, communication, and other public utilities; (6) the retail and wholesale trades; and such other industries as the Secretary of Labor may deem it in the public interest to include. Such statistics shall be reported for all such industries and their principal branches throughout the United States and also by States and/or Federal reserve districts and by such smaller geographical subdivisions as the said Secretary may from time to time prescribe. The said Secretary is authorized to arrange with any Federal, State, or municipal bureau or other governmental agency for the collection of such statistics in such manner as he may deem satisfactory, and may assign special agents of the Department of Labor to any such bureau or agency to assist in such collection.

Approved July 7, 1930.

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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 No. 133. Report of the industrial council of the British Board of Frage on its industry mw 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. No. 145. Conciliation, arbitration, and sanitation in the dress and waist industry of [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 rallway 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. 463. 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).

\*No. 531. Consumers', credit, and productive cooperative societies, 1929. \*No. 331. Consumers', credit, and productive cooperative societies, 1929.

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. [1914.]

\*No. 196. Proceedings of 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. May 10, 1916.

No. 206. The British system of labor exchanges. [1916.]

No. 227. Proceedings of Employment Managers' Conference, Philadelphia, Pa., April 2 and 3, 1917.

No. 235. Employment system of the Lake Carriers' Association. [1918.]

No. 247. 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.

No. 542. Report of the advisory committee on employment statistics. [1931.]

No. 544. Unemployment-benefit plans in the United States and unemployment insurance in foreign countries. Foreign labor laws.

\*No. 142. Administration of labor laws and factory inspection in certain European countries. [1914.]
No. 494. Labor legislation of Uruguay. [1930.]
No. 510. Labor legislation of Argentina. [1930.]
No. 529. Workmen's compensation legislation of the Latin American countries. [1930.]
No. 549. Labor legislation of Venezuela. 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. 545. Building operations in the principal cities of the United States in [1921 to] 1930. (In press.) 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. Dangers to workers from dusts and fumes, and methods of protection. [1913.] \*No. 141. Lead poisoning in the smelting and refining of lead. [1914.]

\*No. 157. Industrial accident statistics. [1915.]

\*No. 157. Industrial accident statistics. [1915.]

\*No. 158. Lead poisoning in the manufacture of storage batteries. [1914.]

\*No. 178. 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 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. 219. Hygiene of the printing trade. [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. 232. The safety movement in the iron and steel industry, 1907 to 1917.

\*No. 236. Effects of the air hammer on the hands of stonecutters. [1918.]

\*No. 249. Industrial health and efficiency. Final report of British Health of Munition Workers' Committee. [1919.]

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*No. 251. Preventable death in the cotton-manufacturing industry. [1919.]

No. 256. Accidents and accident prevention in machine building. [1919.]

No. 257. Anthrar 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. 293. The problem of dust phthisis in the granite-stone industry. [1922.]

No. 298. Causes and prevention of accidents in the iron and steel industry, 1910-1919.

No. 306. Occupation hazards and diagnostic signs: A guide to impairments to be looked for in hazardous occupations. [1922.]

No. 392. Survey of hygienic conditions in the printing trades. [1925.]

No. 405. Phosphorus necrosis in the manufacture of fireworks and in the preparation of phosphorus. [1926.]
                                 No. 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.]
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No. 237. Industrial unrest in Great Britain. [1917.]

No. 340. Ohinese migrations, with special reference to labor conditions. [1923.]

No. 349. Industrial relations in the West Coast lumber industry. [1923.]

No. 361. Labor relations in the Fairmont (W. Va.) bituminous-coal field. [1924.]

No. 380. Postwar labor conditions in Germany. [1925.]

No. 384. Works council movement in Germany. [1925.]

No. 384. Labor conditions in the shoe industry in Massachusetts, 1920-1924.

No. 396. Labor relations in the lace and lace-curtain industries in the United States. [1925.]

No. 534. Labor conditions in the Territory of Hawaii, 1929-1930.
 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. 235. Minimum wage laws of the United States: Construction and operation.

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. 548. Decisions of courts and opinions affecting labor, 1929-1930.
 No. 348. Decisions of courts and opinions arecting labor, 1923-1930.

Proceedings of annual conventions of the Association of Governmental Officials in Industry of the United States and Canada. (Name changed in 1928 from Association of Governmental Labor Officials of the United States and Canada.)

*No. 266. Seventh, Seattle, Wash., July 12-15, 1920.
No. 307. Eighth, New Orleans, La., May 2-6, 1921.

*No. 323. Ninth, Harrisburg, Pa., May 22-26, 1922.

*No. 325. Tenth, Richmond, Va., May 1-4, 1923.

*No. 389. Eleventh, Chicago, Ill., May 19-23, 1924.

*No. 491. Twelfth, Salt Lake City, Utah, August 13-15, 1925.

*No. 492. Thirteenth, Olumbus, Ohlo, June 7-10, 1926.

*No. 455. Fourteenth, Paterson, N. J., May 31 to June 3, 1927.

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No. 508. Sixteenth, Toronto, Canada, June 4-7, 1929.

No. 508. Seventeenth, Louisville, Ky., May 20-23, 1930.
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No. 210. Third, Columbus, Ohio, April 25–28, 1916.

No. 248. Fouth, Boston, Mass., August 21–25, 1917.

No. 264. Fifth, Madison, Wis., September 24–27, 1918.

No. 278. 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. 335. Ninth, Baltimore, Md., October 9–13, 1922.

No. 359. Tenth, St. Faul, 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. 436. Fourteenth, Hartford, Conn., September 14–17, 1926.

No. 456. Fourteenth, Atlanta, Ga., September 11–14, 1928.

No. 511. Sixteenth, Buffalo, N. Y., October 8–11, 1929.

No. 536. Seventeenth, Wellmington, Del., September 22–26, 1930.
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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.
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