

UNITED STATES DEPARTMENT OF LABOR

FRANCES PERKINS, Secretary

WOMEN'S BUREAU

FRIEDA S. MILLER, Director

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STATE LABOR LAWS FOR WOMEN WITH WARTIME MODIFICATIONS

DECEMBER 15, 1944

PART III: ANALYSIS OF— REGULATORY LAWS PROHIBITORY LAWS MATERNITY LAWS



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LETTER OF TRANSMITTAL

UNITED STATES DEPARTMENT OF LABOR,
Women's Bureau,
Washington, February 14, 1945.

Madam: I have the honor to transmit a report summarizing in legal-chart form, State by State, certain laws for women—in some cases for minors of both sexes—as of December 15, 1944. The laws covered are those dealing with weight lifting and some other conditions of work; prohibited employment; and regulations governing employment before and after childbirth.

The report includes the numerous modifications of the laws due to war-emergency or other amendments, the recording of which is essential for historic as well as present purposes.

The bulletin is part of a series now in the final stages of preparation that summarizes, in addition to the topics covered here, hour legislation, sanitary and other plant facilities, and industrial home work.

The charts have been submitted to the various States for approval. For the courtesy of their examination and comment I extend to the State authorities my grateful thanks.

With the exception of the maternity laws, the research and compilation are the work of Mary Loretta Sullivan of the Division of Labor Legislation and Administration. The chart on maternity laws was prepared by Sara L. Buchanan of the same division.

Respectfully submitted.

FRIEDA S. MILLER, *Director.*

Hon. FRANCES PERKINS,
Secretary of Labor.

CHART I.—LAWS GOVERNING WEIGHT LIFTING AND CERTAIN OTHER CONDITIONS OF WORK

[NOTE.—Entries preceded by asterisk are applicable only to persons under 21 years of age]

Alabama. No law.

Alaska. No law.

Arizona.

Code annotated 1939, sec. 56-319

No female shall be employed in any capacity where employment compels constant standing.

Arkansas. No law.

California.

Labor code (Deering) 1937, sec. 1251

No female employee shall be permitted to lift a receptacle which with its contents weighs 50 pounds or over.¹

Ibid., sec. 1250

If receptacle which with its contents weighs 50 pounds or over is to be moved by female employee it must be equipped with pulleys, casters, or other contrivances so that it can be moved easily.¹

Ibid., sec. 1252

No female employee is permitted to carry up or down a stairway rising more than 5 feet from its base any receptacle which with its contents weighs 10 pounds or more.

*Industrial welfare commission orders:
No. 18—Any trade, occupation, or industry. (1932)
No. 3 NS—Canning and preserving. (1943)*

No woman or female minor shall be required or permitted to lift or carry any burden in excess of 25 pounds.¹ *Exemption:* Commission may give exemption in writing if it is satisfied after investigation that enforcement of rule works undue hardship on employer and does not materially increase comfort, health, or safety of employees. During the present national emergency, State's war production act authorizes governor to issue permits to employers if inspection shows that relaxation of order's requirements is essential to the war effort.

Colorado. No law.²

Connecticut. No law.

Delaware. No law.

District of Columbia. No law.

Florida. No law.

Georgia. No law.

Hawaii. No law.

Idaho. No law.

Illinois. No law.

Indiana. No law.

Iowa.

Code 1939, sec. 1536

*No female under 21 years of age shall be employed in any capacity where duties compel constant standing.

Kansas. No law.³

Kentucky.

Revised statutes 1944, sec. 339.150

*No female under 21 years of age shall be employed or permitted to work at any occupation that compels her to remain standing constantly.

For footnotes see end of chart.

**CHART I.—LAWS GOVERNING WEIGHT LIFTING AND CERTAIN
OTHER CONDITIONS OF WORK—Continued**

Louisiana.*General statutes (Dart) 1932, sec. 4535*

No woman or minor employed in a factory, mill, or workshop shall be required to clean any part of the mill, gearing, or machinery while the same is in motion.

Maine. No law.

Maryland. No law.

Massachusetts.*General laws 1932, ch. 149, sec. 53*

Boxes, baskets and other receptacles weighing with their contents 75 pounds or over which are to be moved by female employees in any manufacturing or mechanical establishment shall be provided with pulleys or casters connected with such boxes or other receptacles, so as to be moved easily from place to place in such establishments.⁴

*Department of labor and industries. Rules * * * relating to * * *
employment of women in core rooms. Industrial Bul. No. 10, sec. 30. (1940) **

No female shall be permitted to lift any core or number of cores upon one plate the total cubical contents of which exceeds 1 cubic foot, or the total weight of which, including plate, core box or boxes, exceeds 25 pounds, unless assisted by mechanical appliances that limit her physical effort to 25 pounds.⁴

No female shall be permitted to work on any core the total cubical contents of which exceeds 2 cubic feet, or the total weight of which, including plate, core box or boxes, exceeds 60 pounds.⁴

Ibid., secs. 28-29

Where rooms in which core ovens are located adjoin rooms in which cores are made by females, and in which the making and baking of cores are simultaneous operations, and where the process generates objectionable gases, smoke and fumes in the room in which cores are made by females, the department at its discretion may require that a suitable partition be erected or other suitable means adopted to prevent such objectionable gases, smoke and fumes in the room in which cores are made by females. Such partitions, when installed by order of the department, shall be constructed of concrete, hollow tile, brick, metal or other material approved by the department of labor and industries, and there shall be in such partition such openings as are required by the nature of the business.

All openings in such partitions, when installed by order of the department, between the core-oven room and the room in which females are employed shall be vestibuled with a revolving device or double doors which shall be self-closing, or any other self-closing device, equally effective, which shall be approved by the department of labor and industries. Such device shall be kept in such condition that gases, fumes and smoke shall be effectually trapped and excluded from the core room.⁴

Michigan.⁶*Compiled laws 1929, sec. 8348*

No female shall be employed in operating polishing wheels, belts, buffers, etc., in any basement or room which is wholly or partly beneath the surface of the ground.⁷

Department of labor and industry. Regulations on employment of women, Bul. L-50. (1943)

No woman shall be required to lift more than 35 pounds or to carry more than 20 pounds when ascending stairs. Overhead lifting or stacking by women is prohibited.

Idem.

Approval of commissioner of labor must be obtained to employ women in foundries or in the handling of such harmful substances as lead, benzine, carbon disulphide, mercury, etc., or in arc welding, dry grinding, or in occupations generally considered hazardous.

Minnesota.*Statutes 1941, sec. 183.24*

No female shall be employed in placing cores into ovens or in taking cores out of ovens.

Ibid., sec. 183.25

No female employed in a core-making room shall be permitted to make or handle cores the total weight of which exceeds 25 pounds.

Ibid., sec. 182.09

No woman shall be required or permitted to oil or clean moving machinery.

For footnotes see end of chart.

**CHART I.—LAWS GOVERNING WEIGHT LIFTING AND CERTAIN
OTHER CONDITIONS OF WORK—Continued**

Mississippi. No law.

Missouri.

Revised statutes 1939, sec. 10184

No woman or minor shall be required to clean any part of the mill, gearing, or machinery while it is in motion.

Idem.

No woman shall be required to work between the fixed and traversing or the traversing parts of any machine in motion by the action of any mechanical power except the machine she is operating.

Montana. No law.

Nebraska. No law.

Nevada. No law.

New Hampshire. No law.

New Jersey.

Department of labor. Safety standards for lead corrodors and oxidizers, sec. 2. (1917)

No female of any age shall be permitted to handle any dry substance or dry compound containing lead in any form in excess of 2 percent.

New Mexico. No law.

New York.³

Session laws 1938, ch. 657

No female shall be employed in operating or using any emery, tripoli, rouge, corundum, stone, carborundum, or any abrasive, or emery polishing or buffing wheel, where articles of the baser metals or iridium are manufactured. *Exemption:* Females over 21 years of age may be employed in operating such wheels for wet grinding under conditions specified by the rules of the board of standards and appeals.

Consolidated laws (Cahill) 1930, ch. 32, sec. 383

No female shall be employed in the basement of a mercantile establishment or restaurant unless a permit is granted by the labor commissioner. Permit will be granted only if basement is sufficiently lighted, ventilated, and sanitary.

Ibid., sec. 146(7)

*No female under 21 years of age shall be employed or directed to clean machinery while it is in motion.

Ibid., sec. 147

No female shall be employed in a foundry at or in connection with the making of cores, where an oven in which the cores are baked is in operation in the same room or space in which the cores are made. A partition separating the oven from the space where the cores are made shall not be sufficient, unless the partition extends from floor to ceiling and is so constructed and the openings therein so protected that gases and fumes from the core oven will not enter the space in which women are employed. Board of standards and appeals may adopt rules regulating the construction, equipment, maintenance, and operation of core rooms and the size and weight of cores that may be handled by women.

*Department of labor. Rules relating to * * * foundries. Industrial code rule No. 10. (1942)*

No female shall be permitted to make or handle cores when the combined weight of core, core box, and plate exceeds 25 pounds, nor to handle cores having a temperature of more than 110° F.

North Carolina. No law.

North Dakota. No law.

Ohio.

*Code (Throckmorton) 1940, sec. 1008-1; session laws 1943, S.*B. 126*

Females may not be employed in employments requiring frequent or repeated lifting of weights over 25 pounds. During the present war emergency maximum weight to be lifted is fixed at 35 pounds.

Ibid., sec. 13005

*No female under 21 shall be engaged or permitted to work at an employment which compels her to remain standing constantly while on duty.⁹

⁹For footnotes see end of chart.

**CHART I.—LAWS GOVERNING WEIGHT LIFTING AND CERTAIN
OTHER CONDITIONS OF WORK—Continued**

Oklahoma. No law.

Oregon.

Wage and hour commission. Order No. 18—Weight lifting. (1942)

No woman or girl shall be required to lift more than 25 pounds dead weight in any occupation, trade, or industry nor shall she be required or permitted to lift and carry any article or receptacle weighing more than 15 pounds for a distance of more than 10 feet in any occupation, trade, or industry. During present national emergency, order has been rescinded by commissioner (letter to Women's Bureau dated Aug. 26, 1944).

Department of labor and industry. Regulations affecting employment of women. (1943 and amendments.)

Pennsylvania.

Women may be employed in the setting up of blue beds in the corroding stacks of the Old Dutch Process only if such buckles or lead plates as are used have not previously been corroded.

Women may not be employed—

In plants manufacturing explosives and chemicals unless conditions specified in labor department's regulation are met. Laboratory work in such plants is permitted.

In paint grinding, lead corroding and lead oxidizing, and the dry color industry—handling any dry substance or dry compounds containing lead in any form in excess of 2 percent. During war emergency, labor department after inspection may permit such employment for females over 21 years of age.

In manufacture of nitro and amido compounds, secretary of labor and industry may grant permit for the employment of women over 18 years of age, if a scientific investigation by department shows conclusively "that exposure to the compounds in question does not exist."

In foundries—handling cores which have a temperature of more than 110° F.

As crane operators except where labor secretary approves application of employer.

During war emergency, labor department may grant permission for the employment of women over 21 years of age on certain types of cranes if conditions specified in the regulations are met.

At welding and cutting operations other than those specified in the regulations or prescribed by the industrial board from time to time. During war emergency, labor department may grant permission for the employment of women over 18 years of age in acetylene cutting or electric arc welding. Conditions specified in the regulations must be met.

Philippine Islands.

Session laws 1923, Act 3071, sec. 6

It is unlawful to employ women in factories, shops, and similar places of labor where the nature of the work requires the employee to work always standing.

Puerto Rico. No law.

Rhode Island. No law.

South Carolina. No law.

South Dakota. No law.

Tennessee. No law.

Texas. No law.

Utah.

Industrial commission. Standards for women and children in industry. (1937)

No woman or girl shall be required or permitted to lift any burden in excess of 30 pounds or to carry any burden in excess of 15 pounds.

Vermont. No law.

Virginia. No law.

Industrial welfare committee orders:

No. 30—Working conditions in manufacturing or other mercantile establishments. (1922)

No. 38—Canning. (1942)

No. 39—Fruit and vegetable packing. (1942)

Washington.

No woman or minor shall be required or permitted to lift (No. 30 adds "or carry") an excessive burden.

For footnotes see end of chart.

CHART I.—LAWS GOVERNING WEIGHT LIFTING AND CERTAIN
OTHER CONDITIONS OF WORK—Continued

West Virginia. No law.

Wisconsin. No law.

Wyoming. No law.

¹ The 25-pound limitation in industrial welfare commission order No. 18 in practice superseded the maximum fixed by statute.

² The Colorado minimum-wage act empowers the industrial commission to ascertain and determine standards of conditions of labor and hours of employment not detrimental to health or morals for women and minors (Statutes annotated 1935, ch. 82, sec. 241).

³ It shall be unlawful to employ women in any industry or occupation under conditions of labor detrimental to their health or welfare * * * and for more hours in a day than is consonant with their health and welfare (General statutes 1935, sec. 44-640).

⁴ During present war emergency, labor commissioner is authorized to suspend application or operation of any provision of the labor statute, or of any rule or regulation made thereunder, regulating, limiting, or prohibiting the employment of women or minors, in such instances and for such periods of time as he deems suspension necessary (Session laws 1943, ch. 382).

⁵ These rules were adopted in conformity with the statute authorizing the department to investigate core rooms where women are employed and to make rules regulating the employment of women therein (General laws 1930, ch. 149, sec. 54).

⁶ The Michigan equal-pay statute provides that "no female shall be given any task disproportionate to her strength, nor shall she be employed in any place detrimental to her morals, her health, or her potential capacity for motherhood" (Compiled laws 1929, sec. 8497 reenacted in 1931, ch. 328, sec. 556).

⁷ Interpretation of State attorney general, opinion dated May 5, 1932.

⁸ Under the war emergency act, commissioner of labor has authority to grant dispensations to employers engaged in "war work" who apply for permit, if he deems a waiver of the law's restrictions necessary to speed up war production. Commissioner in granting dispensation must consider health and welfare of workers (Session laws: 1942, ch. 544, art. 8; 1943, chs. 171 and 315; 1944, ch. 412).

⁹ Session laws 1943 (S. B. 126) makes inapplicable for the duration of the war emergency.

CHART II.—PROHIBITED-EMPLOYMENT LAWS

[NOTE.—Entries preceded by asterisk are applicable only to persons under 21 years of age]

Alabama.

Code 1940, title 26, sec. 158

No woman of any age shall be employed to work or labor in or about a coal mine.

Alaska. No law.

Arizona.

Code annotated 1939, sec. 56-519

No female shall be employed or suffered to work in or about a mine, quarry, or coal breaker.

Arkansas.

Digest (Pope) 1937, sec. 9322

No female of any age shall be permitted to enter any mine to work therein.

California.

General laws (Deering) 1937, Act 3796, sec. 56.4

No female may be employed in mixing alcoholic beverages containing distilled spirits on premises used for the sale of such beverages for consumption on the premises. *Exemptions:* Licensee or wife of licensee.

Ibid, sec. 56

*No person under 21 years of age may be employed or used in or on that portion of premises used for the sale and service of alcoholic beverages for consumption on the premises.

Colorado.

Statutes annotated 1935, ch. 110, sec. 98

No female shall be employed in or about a coal mine or coke oven except in a clerical capacity.

Connecticut.

1943 supplement to general statutes, sec. 534g

No female, other than the wife or daughter of the proprietor, shall be employed in any tavern.

Delaware.

Revised code 1955, sec. 3606

*No person under 21 years of age shall be employed in any room where intoxicating liquors are sold or dispensed except in an establishment where liquors are sold for medical or scientific purposes.

District of Columbia. No law.

Florida.

Statutes 1943, ch. 21096, sec. 12

*No person under 21 years of age shall be employed, permitted or suffered to work in, about, or in connection with any poolroom, billiard room, brewery, saloon, barroom, or any place where intoxicating liquors are manufactured or sold. *Exemptions:* Professional entertainers 18 to 21 years who are not in school; drug or grocery stores licensed to sell beer and wine for consumption off the premises; bellboys, elevator boys, and others in hotels if work is apart from portion of hotel where alcoholic beverages are sold.

Georgia. No law.

Hawaii. No law.

Idaho. No law.

Illinois.¹

Revised statutes 1943, ch. 93, secs. 27 and 129

No woman or girl shall be permitted to do any manual labor in or about a mine.

Indiana.

Statutes annotated (Baldwin) 1934, secs. 11074, 11052

No female of any age shall be permitted to enter a coal mine for the purpose of employment therein.

Ibid., sec. 6717

*No boy or girl under the age of 21 years shall be permitted to work in any public pool or billiard room.

Iowa. No law.

For footnotes see end of chart.

CHART II.—PROHIBITED-EMPLOYMENT LAWS—Continued

Kansas. No law.

Kentucky.

Revised statutes 1944, sec. 244.100

No licensee for the sale of alcoholic beverages at retail for consumption on the premises shall employ any female for any duties with respect to the sale of such alcoholic beverages. *Exemptions:* Waitresses, cashiers, ushers.

Louisiana.

Criminal code (Dart) 1932, sec. 1367

No female may be employed in any concert hall or saloon where spirituous liquors, wines, or malt are sold at retail, to distribute, sell, or take orders for such liquors, wines, or malt among the audience or frequenters of such hall or saloon.

Maine. No law.

Maryland.

Annotated code (Flack) 1939, art. 89, sec. 174

No female shall be employed, permitted, or suffered to work in any capacity in, about, or in connection with any mine. *Exemption:* Mine offices.

Ibid., art. 100, sec. 23

*No minor under 21 years of age shall be employed, permitted, or suffered to work in, about, or in connection with any saloon or barroom where intoxicating liquors are sold.

Massachusetts. ²

General laws 1932, ch. 149, sec. 64

*No person shall employ a minor under 21 or permit him to work in, about, or in connection with any saloon or barroom where alcoholic liquors are sold.

Michigan. No law.

Minnesota.

Statutes 1941, sec. 181.41

*No girl under 21 years of age may be employed or permitted to work as a messenger for a telegraph or messenger company.

Mississippi. No law.

Missouri.

Revised statutes 1939, sec. 14831

No female of any age shall be permitted to enter any mine to work therein.

Montana.

Session laws 1941, ch. 114

*No person under 21 years of age may be employed to serve liquor, beer, or wine in retail establishments.

Nebraska. No law.

Nevada. No law.

New Hampshire. No law.

New Jersey.

Department of labor. Safety standards for the manufacture of nitro and amido compounds, sec. 9 (h). (1917)

The employment of females in the manufacture of nitro and amido compounds is prohibited. *Exemptions:* Office, works hospital, or welfare room or building.

New Mexico.

Session laws 1943, ch. 112

*No female under the age of 21 years may be employed as a messenger for a telegraph, telephone, or messenger company. *Exemption:* For and during time this country is at war with a foreign nation, and for 6 months thereafter, certificates allowing such employment may be issued by the local school superintendent, if such employment is deemed necessary to the war effort.

New York. ³

Consolidated laws (Cahill) 1930, ch. 32, sec. 146 (6)

No female shall be employed in or in connection with any mine or quarry.

Ibid., sec. 146 (9)

*No female under 21 years of age shall be employed as a conductor or guard on any street, surface, electric, subway, or elevated railroad.

Ibid., sec. 146 (10)

*No female under 21 years of age shall be employed as messenger for a telegraph or messenger company in distributing, transmitting or delivering goods or messages.

North Carolina. No law.

North Dakota. No law.

For footnotes see end of chart.

CHART II.—PROHIBITED-EMPLOYMENT LAWS—Continued

Ohio.*Code (Throckmorton) 1940, sec. 1008-1; session laws 1943, S. B. 126*

The employment of females is prohibited in the following employments or capacities:

Baggage handling.	Jitney driver.
†Barrooms and saloons or public drinking places which cater to male customers only and in which substitutes for intoxicating liquors are sold.	Meter reading (gas or electric).
†Bellhop.	†Mines (except in offices).
Blast furnaces (except in offices).	†Molder.
Bowling alleys.	Operating freight or baggage elevators.
Crossing watchman.	†Poolrooms.
Delivery service (wagon or automobile).	†Quarries (except in offices).
Express driver.	Section hand.
Freight handling.	Shoe-shining parlors.
	Smelters (except in offices).
	Taxi driver.

Because of the war emergency, and for the duration, the employments or capacities in which women may not be employed are reduced to the 6 indicated by a † in the list above. The 1943 statute makes slight variations in 2 of these 6, viz:

Barrooms and saloons or public drinking places which cater to male customers only.
Metal molder.

Ibid., sec. 1027 (15)

No female shall be employed in operating, assisting to operate, or using any of the wheels or belts specified in this section of the law. ⁴

Ibid., sec. 12993

*No female under 21 shall be employed in the personal delivery of messages. During war emergency, age reduced to 18 years.

Oklahoma.*Oklahoma Constitution, art. XXII, sec. 4*

Women and girls shall not be employed underground in the operation of mines.

Statutes 1941, title 40, sec. 85

No woman or girl shall be employed or permitted to work underground in any mine or quarry.

Oregon. No law.**Pennsylvania.***Statutes (Purdon) 1936, title 52, secs. 32, 34*

No woman or girl shall be employed or permitted to be (1) In any mine for the purpose of employment therein; (2) in or about the outside structures or workings of a colliery for the purpose of employment. *Exemption:* Employment in an office or in performance of clerical work at a colliery.

Department of labor and industry. Regulations affecting employment of women. (1943 and amendments)

The employment of women is prohibited:

In the handling of nitrators during process of manufacture of nitroglycerine in explosives plants.

In the taking down of blue beds after the process of lead corroding.

At reading or testing meters (water, gas, or electric). During war emergency, women over 25 years of age may be so employed if application is approved by labor department.

As messengers for railroads in the calling of train crews. During war emergency, labor secretary may permit such employment if calls can be made mechanically or electrically, making it unnecessary for the women to enter the men's dormitories for the purpose of calling them to duty.

In maintaining fires in hand-fired boiler furnaces. During war emergency, labor secretary may grant permission for employment of women over 21 years of age if plant files affidavit showing that proper safeguards have been provided for the women's protection.

On railroad tracks or at trucking for railroads. (Provision for war emergency same as in preceding entry, except that age minimum here is 18 instead of 21 years.)

Philippine Islands.*Session laws 1936, Act 137, sec. 93*

No woman or girl shall be employed underground in any mine.

For footnotes see end of chart.

CHART II.—PROHIBITED-EMPLOYMENT LAWS—Continued

Puerto Rico. No law.

Rhode Island. No law.

South Carolina.

Code 1942, sec. 1840

*It shall be unlawful for any person under 21 years to work as an employee or otherwise in a retail, wholesale, or manufacturing liquor business and for any person knowingly to employ such person.

South Dakota. No law.

Tennessee. No law.

Texas. No law.

Utah.

1943 supplement to code, sec. 49-4-1

It shall be unlawful for any person to employ a female to work in any mine or smelter in this State. But for the period of the war emergency and until governor by official proclamation declares such war emergency at an end, or until April 1, 1945, whichever occurs first, females may be employed at mines in other than underground work, and in smelters.

Vermont. No law.

Virginia.

Code 1942, sec. 1887n

No female of any age shall be permitted to work in or around any mine or quarry.

Ibid., sec. 4675 (42a)

*No person, firm, or corporation may permit an employee under 21 years of age to sell, serve, or dispense alcoholic beverages for on-premises consumption.

Washington.

Statutes (Remington) 1931, sec. 8300

No woman or girl shall be employed or permitted to be in any mine, or about the surface workings of any mine, for the purpose of employment. *Exemption:* Clerical or messenger duty about the surface workings as permitted under the school laws.

Industrial welfare committee order No. 23—Public housekeeping. (1921)

Women may not be employed as bellhops.

West Virginia. No law.

Wisconsin.

Statutes 1943, sec. 105.69

No employer shall employ or permit a female to work in or about a mine or quarry.

Idem.

No employer shall employ or permit any girl under 21 years of age to work as:

*Bellhop in hotel.

*Caddy on golf course.

Industrial commission order. (1933)

No minor or female shall be employed or permitted to work in any place of employment where it has been established by court record that such place has been used as a disorderly house or for the solicitation or bargaining for immoral purposes; and no minor or female shall be employed by or permitted to work for any person who has been convicted either as a keeper of a disorderly house, or as an agent in any capacity for a disorderly house.

Wyoming.

Revised statutes 1931, sec. 20-106

Any person who shall take, receive, hire, or employ any woman or girl or shall allow or permit her to be in or about any coal, iron, or other dangerous mine or underground place for the purpose of employment therein or thereabouts shall be fined \$25 to \$100. *Exemption:* Females of suitable age may be employed in an office or in the performance of clerical work at such mine, colliery, or place.

¹ Any city council, board of trustees, or county board shall have power by general ordinance or resolution to prohibit any woman or minor other than a licensee or wife of a licensee from drawing, pouring, or mixing any alcoholic liquor, as an employee of a retail licensee (Revised statutes 1943, ch. 43, sec. 110).

² During present war emergency, labor commissioner is authorized to suspend application or operation of any provision of the labor statute, or of any rule or regulation made thereunder, regulating, limiting, or prohibiting the employment of women or minors, in such instances and for such periods of time as he deems suspension necessary (Session laws 1943, ch. 382).

³ Under the war emergency act, commissioner of labor has authority to grant dispensations to employers engaged in "war work" who apply for permit, if he deems a waiver of the law's restrictions necessary to speed up war production. Commissioner in granting dispensation must consider health and welfare of workers (Session laws: 1942, ch. 544, art. 8; 1943, chs. 171 and 315; 1944, ch. 412).

⁴ Session laws 1943 (S. B. 126) makes inapplicable for the duration of the war emergency.

CHART III.—MATERNITY LAWS—REGULATIONS GOVERNING EMPLOYMENT BEFORE AND AFTER CHILDBIRTH

State	Industry or employment	Employment prohibited		Employer's responsibility	Other provisions
		Before childbirth	After childbirth		
<p>ALABAMA. No law. ALASKA. No law. ARIZONA. No law. ARKANSAS. No law. CALIFORNIA. No law. COLORADO. No law. CONNECTICUT: General statutes 1930, sec. 5201.</p>	Any factory, mercantile establishment, mill or workshop.	4 weeks	4 weeks	No owner, proprietor, manager or foreman, or other person in authority in the covered establishments, shall knowingly employ a woman or permit her to be employed during the period specified.	
<p>DELAWARE. No law. DISTRICT OF COLUMBIA. No law. FLORIDA. No law. GEORGIA. No law. HAWAII. No law. IDAHO. No law. ILLINOIS. No law. INDIANA. No law. IOWA. No law. KANSAS. No law. KENTUCKY. No law. LOUISIANA. No law. MAINE. No law. MARYLAND. No law. MASSACHUSETTS: General laws 1932, ch. 149, sec. 55.</p>	<p>Laboring in mercantile, manufacturing or mechanical establishment.</p>	2 weeks	4 weeks	Shall not knowingly employ a female during the period specified.	Regulation must be posted in the covered establishment.
<p>MICHIGAN. No law. MINNESOTA. No law. MISSISSIPPI. No law. MISSOURI: Revised statutes 1939, secs. 10171, 10172.</p>	Manual, physical, stenographic, or clerical work of any character in any manufacturing, mechanical, or mercantile establishment, factory, workshop, laundry, bakery, restaurant, any place of amusement, express, transportation or public utility business, common carrier, or public institution.	3 weeks	3 weeks	Unlawful for any person, firm, or corporation knowingly to employ a female, or permit her to be employed, during the period specified.	Violation deemed a misdemeanor.

MONTANA. No law.
NEBRASKA. No law.
NEVADA. No law.
NEW HAMPSHIRE.
 No law.
NEW JERSEY. No law.
NEW MEXICO. No law.
NEW YORK:

Consolidated laws
 (Cahill) 1930, ch.
 32, sec. 148.

NORTH CAROLINA.

No law.

NORTH DAKOTA.

No law.

OHIO. No law.

OKLAHOMA. No law.

OREGON. No law.

PENNSYLVANIA. No
 law.

**PHILIPPINE IS-
 LANDS:**

Session laws 1923,
 Act 3071, sec. 13.

PUERTO RICO:

Session laws 1942, Act
 3.

RHODE ISLAND. No
 law.

SOUTH CAROLINA.
 No law.

SOUTH DAKOTA. No
 law.

TENNESSEE. No law.

TEXAS. No law.

UTAH. No law.

Factory or mercantile establish-
 ment.

Laboring in a factory, shop, or
 place of labor of any description.

Any office, commercial or indus-
 trial establishment, or public
 service enterprise (whether paid
 through salary, wages, day
 wages, or any other kind of com-
 pensation).

30 days-----

4 weeks-----

4 weeks-----

30 days-----

4 weeks-----

No owner, manager, foreman or other
 person in authority shall knowingly
 employ a female or permit her to be
 employed during the period specified.

Every person, firm, or corporation
 owning or managing covered estab-
 lishments, must grant the specified
 maternity leave with pay. If em-
 ployer discharges the woman with-
 out just cause, he must pay to her
 wages for 2 months from the date of
 the discharge.

Must pay the working mother during
 the 8 weeks of rest one-half of her
 usual compensation.
 On presentation of medical certificate
 4 additional weeks allowed without
 compensation. The position must
 be kept open for the worker.
 Cannot discharge her without just
 cause. "Just cause" for discharge
 does not include decreased work
 production due to the pregnancy.

Violation deemed a misdemeanor.

CHART III.—MATERNITY LAWS—REGULATIONS GOVERNING EMPLOYMENT BEFORE AND AFTER CHILDBIRTH—Cont.

State	Industry or employment	Employment prohibited		Employer's responsibility	Other provisions
		Before childbirth	After childbirth		
VERMONT: Code 1933, sec. 6590.	Laboring in any mill, cannery, workshop, factory, manufacturing or mechanical establishment.	2 weeks.....	4 weeks.....	Shall not knowingly employ a woman during the period specified.	Regulation must be posted in the covered establishment.
VIRGINIA. No law. WASHINGTON: Industrial welfare committee order No. 30, sec. 8. (1922)	Any manufacturing or other mercantile establishment.	4 months.....	6 weeks.....	No person, firm, association, or corporation shall employ a woman during the period specified.	Exceptions may be granted in cases where the industrial welfare committee determines that enforcement would not materially increase employee's comfort, health or safety, and would work undue hardship on the employer. Employer files the application.
Ibid., No. 25, sec. 4. (1921)	Laundry, dry-cleaning, or dye-works occupations.	*4 months.....	6 weeks.....	No woman shall be knowingly employed during the period specified.	
WEST VIRGINIA. No law. WISCONSIN. No law. WYOMING. No law.					