

UNITED STATES DEPARTMENT OF LABOR

FRANCES PERKINS, Secretary

WOMEN'S BUREAU

FRIEDA S. MILLER, Director

STATE LABOR LAWS FOR WOMEN
WITH WARTIME MODIFICATIONS

DECEMBER 15, 1944

PART IV.—ANALYSIS OF INDUSTRIAL HOME-WORK LAWS



BULLETIN OF THE WOMEN'S BUREAU, No. 202-IV

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1945

For sale by the Superintendent of Documents, U. S. Government Printing Office
Washington 25, D. C. - Price 10 cents

JUN 4 1945

SOCIOLOGY DIVISION
SERIAL

LETTER OF TRANSMITTAL

UNITED STATES DEPARTMENT OF LABOR,
WOMEN'S BUREAU,
Washington, February 20, 1945.

MADAM: I have the honor to transmit a report summarizing in legal-chart form, State by State, as of December 15, 1944, the laws that prohibit or regulate the employment of workers on factory processes in their homes instead of on the employer's premises.

The bulletin is part of the series of State labor laws for women being issued by the Women's Bureau, which deals also with hour laws; those prohibiting and regulating certain occupations; maternity laws; and the requirements for sanitary and other plant facilities.

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.

The research and compilation of the laws are the work of Sara L. Buchanan, of the Division of Labor Legislation and Administration.

Respectfully submitted.

FRIEDA S. MILLER, *Director.*

HON. FRANCES PERKINS,
Secretary of Labor.

INDUSTRIAL HOME-WORK LAWS

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
ALABAMA. No law.								
ALASKA. No law.								
ARIZONA. No law.								
ARKANSAS. No law.								
CALIFORNIA: 1939 supplement to general laws (Deering), Labor Code, p. 755, secs. 2650-2668.	Manufacturing in a home of materials or articles for an employer unless for the use of himself or a member of his family.	Home work on articles of food or drink, articles for use in connection with the serving of food or drink, or articles of wearing apparel for use of children 10 years of age or under; toys and dolls; tobacco; drugs and poisons; bandages and other sanitary goods; explosives, fireworks, and articles of like character.	No employer may deliver goods for manufacture without a permit. Fee: \$50.	Persons 16 years of age and over free from a communicable disease.	No certificate will be issued to a worker living in a home that is not clean, sanitary, and free from communicable disease. Industrial welfare division is authorized to issue orders prohibiting home work in an industry when it finds that such employment is injurious to the health and welfare of home workers, or that it renders unduly difficult the maintenance or enforcement of labor standards established by law for factory workers in the industry. <i>Exemptions:</i> Certain handicapped persons	Employer must keep a record of home workers, showing the names, addresses, earnings, and articles produced; also record of persons supplying him with work or materials and of agents to whom he furnishes work.	Employer must label home-work materials with his name and address in legible English.	

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
CALIFORNIA— Continued.					may be given special permits to engage in home work, if the division's prohibitory order results in undue hardship to them. The handicaps include old age, physical or mental disability, injury or inability to adjust to factory employment, or inability to leave home due to essential care of an invalid.			
	<p>Industrial welfare commission order No. 1 NS—Manufacturing. (1942)</p> <p>Industrial welfare division prohibitory order No. 1—Garment manufacturing. (1941)</p>	<p>Every employer in the manufacturing industry wherever conditions make the law applicable.</p> <p>Home work on garments including hand or machine processes, also preparing, altering, repairing, or finishing. <i>Exemption:</i> Hand knitting.</p>	<p>All home work except by handicapped persons under special permit.</p>	<p>Special permits and certificates may be granted to employers and home workers respectively when it is shown that employer applicant maintains a factory where similar work is done; and that home-worker applicant was employed as home worker in the industry on</p>	<p>Persons unable to do factory work because of advanced age, physical or mental disability, or essential care of an invalid in the home.</p>	<p>Home worker may work for one employer only; and may not do factory work while holding home-work certificate.</p> <p>Week's work assigned may not exceed average weekly output of factory workers on similar operations working legal hours.</p> <p>Women and minor</p>	<p>Employer must record home worker's name and address, and the articles or materials manufactured by worker, date materials were issued to worker, list of articles or materials assigned, kind of work performed, operations to be performed, piece rates paid,</p>	<p>Employer must conspicuously label each article or material supplied for home work. Label must show employer's name and address in legible English. If unit labeling impossible, the identification must be on the package or other container.</p>

COLORADO:
Industrial
commission
order No. 2
(1938). Pur-
suant to
1937 laws,
ch. 189.

Retail trades oc-
cupations.

No employer shall
give work that
can be per-
formed on the
premises to
women or
minors to be
done elsewhere.

or before Sept.
1, 1941, and is
covered by
workmen's
compensation
insurance.

home workers
to be paid not
less than legal
minimum wage
paid for similar
work in the fac-
tory.

date finished
work returned,
wages paid for
each lot re-
turned, and
total weekly
payment to the
home worker.
Also, name and
address of each
distributor for
employer, and
of persons from
whom goods
and materials
received for
distribution.
Home workers
must record
articles or mate-
rials received,
and date; work
done, piece
rates, articles or
materials fin-
ished and re-
turned, and
date; hours
worked per day
and week; total
weekly pay,
and date. Cer-
tified record to
be sent division
of industrial
welfare by 10th
of next month
or on demand.

Order applies to
females em-
ployed in
retail trades
occupations.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
<p>CONNECTICUT: 1939 supplement to general statutes, sec. 836e.</p>	<p>Processing of materials in a home for an employer, to be returned to him for any purpose other than the personal use of himself or a member of his family.</p>	<p>Home work restricted to employment for employers located in the State; to industries in which home work is customary and necessary; to processes performed by simple hand methods; and to workers who are handicapped, or responsible for care of an invalid in the home.</p>	<p>Employer must obtain a certificate to distribute materials for home work. Annual fee: \$25. Home workers must have official permits.</p>	<p>Individuals 16 years of age or over if regular employment outside their homes is prevented by injury or noncontagious illness, physical incapacity from age, or essential home duties. Other individuals if process requires only simple hand tools and commissioner determines that home work is customary in the industry or occupation in the State and that suspension of it would work undue hardship on labor or industry.</p>	<p>No processing of materials allowed in any home in which there is contagious or communicable disease. Wage rates paid not to be lower than those in a factory or other place of business for similar work.</p>	<p>Employer must record each worker's name and address, kind and amount of materials distributed, rates paid, and worker's total weekly earnings.</p>		<p>Commissioner may seize goods processed in violation of the law, and any materials brought or sent into the State to be processed in Connecticut homes.</p>
<p>1931-1935 cumulative supplement to general statutes, secs. 905c, 906c.</p>			<p>Owner of premises where home work is done must obtain license authorizing such use. Issued only after inspection. Fee: \$25.</p>	<p>Workers must live in home where work is done.</p>	<p>Laws regulating hours and working conditions in factories apply also to home work.</p>			
<p>DELAWARE. No law.</p>								

<p>DISTRICT OF COLUMBIA: Minimum wage board order No. 8. (1939)</p>	<p>Manufacturing and wholesaling occupations.</p>				<p>Women employed on home work must receive not less than the minimum wage established for plant workers by official order.</p>	<p>Employer must keep records for all home workers, as required for plant workers.</p>		<p>Order applies to women and minors.</p>
<p>FLORIDA. No law.</p>								
<p>GEORGIA. No law.</p>								
<p>HAWAII. No law.</p>								
<p>IDAHO. No law.</p>								
<p>ILLINOIS: Revised statutes 1943, ch. 48, secs. 251-260.</p>	<p>Processing in a home of any article from material furnished by an employer, such article to be returned to employer, and not intended for his personal use or for use of members of his family.</p>	<p>Processing of articles of food or drink, drugs or poisons, medical and surgical dressings, sanitary napkins, and cotton batting; fireworks, explosives, and articles of similar character; toys and dolls; tobacco.</p>	<p>Employer must obtain a permit. Fee: \$200. Permit renewable annually on graduated scale according to number of workers. Limited to a specified industry or trade. Home worker must obtain annual certificate. No fee.</p>	<p>Only a person living in his own home may be certified for home work. Permit not issued to applicant with communicable disease, nor to minor under 16 years of age.</p>	<p>Owner of premises where home work is done must obtain a sanitary permit, authorizing such use. Permit valid for one year. Issued free after official inspection and approval as to floor and air space, ventilation, heating, atmospheric conditions, and lighting.</p>	<p>Every holder of a sanitary permit must keep on premises an accurate register of all persons engaged on industrial home work. Employer must report every 6 months the names and addresses of his home workers.</p>		
<p>Minimum wage directive order No. 4—Wash-dress industry. (1938)</p>	<p>Work done in a home producing or manufacturing cotton, rayon, linen dresses, aprons and uniforms, or any part of them, for employer engaged in the wash-dress industry.</p>				<p>Home workers shall be paid the minimum rate specified in the order. Overtime beyond 40 hours in any one week at one and one-tenth times regular hourly rates.</p>	<p>Employer must keep accurate record of hours worked by each home worker and the wages paid to each, and furnish on demand to the department a sworn statement of the record.</p>		<p>Order applies to women and minors. A minor means any male person under 21 years of age and any female person under 18 years of age.</p>

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
INDIANA: Statutes annotated (Baldwin) 1934, secs. 10071, 10072.	Manufacture of coats, vests, trousers, knee pants, overalls, cloaks, furs, fur trimmings, fur garments, shirts, purses, feathers, artificial flowers, or cigars, for sale, in any room or rooms, apartment or apartments, in any tenement or dwelling house, by the immediate members of the family living therein.	-----	Employer must procure permit from the safety inspector. Permit must state maximum number of persons to be employed on the premises and be posted in the workplace. Granted only after official inspection and approval of premises.	Only immediate members of the family living in the place where home work is performed.	At least 250 cubic feet of air space required for each person employed between 6 a. m. and 6 p. m.; at least 400 cubic feet of air space for each person employed between 6 p. m. and 6 a. m., unless requirement modified by the safety inspector. Electric lighting and sufficient ventilation required. Permit may be revoked at any time if health of community or employees requires it.			
IOWA. No law.								
KANSAS. No law.								
KENTUCKY. No law.								
LOUISIANA. No law.								
MAINE. No law.								
MARYLAND: Annotated code (Flack)	Manufacturing in whole or in part,	-----	License must be obtained from	Limited to immediate mem-	License will not be issued unless	Employer must keep register of	Employer must issue with all	

articles or materials a label showing in English the name and place of his business.

names and addresses of persons employed by him on home work.

the premises are shown by official inspection and records to be free from communicable disease and unsanitary conditions. Inspection required each 6 months. At least 500 cubic feet of air space required for each employee. Laws require fire escapes, proper exits, separate privies for male and female employees.

bers of the family living in the work premises, specified as husband and wife, their children, or the children of either.

commissioner of labor and statistics by any member of the family desiring to do home work. Application must show location of the premises, number of persons to be employed, and full name and address of owner of building in which work is to be done.

Employer must obtain annual permit from the commissioner of labor and statistics. Permit granted only after inspection; must state maximum number of persons to be employed.

Applicant must be at least 16 years of age and free from any communicable disease.

Employer must obtain annual permit. Fee: \$50. Employer may not deliver materials or articles to any person not in possession of a valid certificate to do industrial home work. Employee's certificate free. Valid for one year. Covers only work performed by applicant in his own home.

No permit may be issued for the manufacture of or delivery of material for manufacture of tobacco; drugs and poisons; bandages and other sanitary goods; explosives, fireworks, and goods of like character.

altering, repairing, or finishing any articles whatsoever, unless for use of worker or immediate members of the household, or wearing apparel for use of employer or his family, in any part of a tenement or dwelling house except a workshop on main floor, not used for sleeping or cooking, having a separate street entrance and entirely separate from rest of building.

Manufacturing in a home of materials or articles for an employer, to be returned to him for other than personal use of himself or a member of his family. *Exemption:* Organizations incorporated in the Commonwealth for educational or philanthropic purposes; home work performed under supervi-

1939, art. 27, secs. 371-375.

MASSACHUSETTS:

Session laws: 1937, ch. 429, p. 556; 1939, ch. 461, p. 629.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
<p>MASSACHUSETTS—Con.</p> <p>Department of labor and industries—Rules and regulations for the control of industrial home work. Industrial Bul. No. 20. (1937)</p>	<p>sion of the division of the blind in department of education.</p>		<p>Home workers under 18 years of age must obtain special permit from labor department.</p>		<p>enforcement of labor standards established for factory workers in the industry.</p> <p>Wage rates paid must be the equivalent of those paid in the factory for the same type of work. Rates not to be less than the minimum established by the minimum-wage commission.</p> <p>Home workers employed both in the factory and in the home may not work more than 9 hours in one day or more than 48 hours in one week in both places.</p> <p>Home of applicant must be inspected before home worker's first certificate is issued and at intervals afterward. Certifi-</p>	<p>persons from whom he receives materials for home-work manufacture.</p> <p>Employer must furnish the department each month with the name and address of each agent or contractor furnished by him with material for home work; a list of names and addresses of persons employed by him in home work; and any other information required by the department.</p>	<p>Specimens of labels or other marks of identification must be approved by department.</p>	<p>Employer is responsible for all transportation costs. Regulations apply to all persons employed in home work.</p>

MICHIGAN:
Compiled
laws 1929,
sec. 8337.

Manufacture of coats, vests, trousers, knee pants, overalls, skirts, dresses, cloaks, hats, caps, suspenders, jerseys, blouses, waists, waist bands, underwear, neckwear, furs, fur trimmings, fur garments, shirts, hosiery, purses, feathers, artificial flowers, or cigars and cigarettes, in any room or apartment in any tenement or dwelling house, except in the case of a seamstress doing work on articles for family use.

Employer must obtain permit from factory inspector, stating maximum number of persons allowed to be employed, and showing that premises intended for home work use are thoroughly clean, sanitary, and satisfactory for occupancy by the home workers. Permit granted only after inspection; must be posted conspicuously in workplace.

No restrictions

cates are not transferable; void when holder moves to another location.

No industrial home work to be done in any room or apartment used for living or sleeping purposes or connected with such rooms, and without a separate distinct outside entrance for use of others than members of the family in the dwelling. At least 250 cubic feet of air space required for each person employed. Workrooms must be provided with sufficient means of lighting, heating, and ventilation, under the supervision of the chief factory inspector.

Employer must keep a written register of names and addresses of persons to whom home work is assigned, or with whom contract is made.

MINNESOTA.
No law.

MISSISSIPPI.
No law.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
MISSOURI: Revised statutes 1939, secs. 10236-10237.	Manufacture of any wearing apparel, purses, feathers, artificial flowers, or other goods for male or female wear in any room or apartment in any tenement or dwelling house.			Not more than 3 persons besides immediate members of family living in the place where home work is done.		Employer must keep a written register of names and addresses of persons to whom home work is assigned, or with whom contract is made.	If articles have been made in violation of the home-work law, or under unclean or unhealthful conditions, they must have label affixed by official inspector containing words "tenement made" or "made under unhealthy conditions."	
MONTANA. No law.								
NEBRASKA. No law.								
NEVADA. No law.								
NEW HAMPSHIRE. No law.								
NEW JERSEY: Session laws 1941, ch. 308.	Manufacture in a home of materials or articles for an employer, and thereafter turned to him, not for the personal use of himself or of a member of his family. <i>Exemption:</i> Tail-	Manufacture of articles of food or drink; articles for use in the serving of food or drink; toys and dolls; tobacco; drugs and poisons; bandages and other sanitary goods; expo-	Employer must obtain annual permit. Application must list names and addresses of home workers. Permit not transferable. Fee: \$50. Annual renewals graduate from \$50	No home worker's certificate to be issued to person having a communicable disease or living in home that is not clean, sanitary, and free from communicable disease. Home worker	Industrial home work to be performed only in accordance with the wages, hours, and working conditions established for labor in factories or business, by persons of the	Employer must provide an accurate record of home workers, places where they work, articles or materials distributed, each home worker's earnings, articles or materials man-	Articles produced by home work must show conspicuous label or other identification, bearing employer's name and address in legible English.	Home workers shall not exceed one-third of the number of employees in employer's factory.

lor or seamstress making articles of wearing apparel for personal use of employer or a member of his family.

sives, fireworks, and articles of like character; articles of children's and infants' wearing apparel; articles which in processing require exposure of worker to hazardous substances; manufacture or distribution of dolls' clothing.

to \$200 according to number of home workers employed. Employer may not deliver articles or materials for industrial home work to independent contractor who does not possess valid employer's permit.

Each home worker must possess a valid home worker's certificate. Issued free annually. Certificate to be posted in the place of work; is not transferable due to change in address.

must be 16 years of age or over and a resident in the home in which work is done.

same age and sex as the home workers, either by State law or any applicable Federal law.

Home worker's certificate issued only if home is in clean and sanitary condition.

If commissioner of labor finds as to any industry that home work cannot be conducted without injuring the health and welfare of the home workers or rendering unduly difficult the maintenance of existing labor standards established by law for factory workers, he shall prohibit home work in the industry.

Exemption: Any person found unable to adjust to factory employment because of old age, physical or mental deficiency or disability, or unable to leave the home because of essential service to an invalid.

ufactured, independent contractors through whom he deals, and any other facts and information pertinent to proper enforcement of the act.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
NEW JERSEY— Continued.								
Minimum wage directory order No. 2—Light manufacturing occupations. (1939)	Light manufacturing occupations cover work performed on specified articles at any place other than at the factory or on the premises of the employer.				Minimum fair wage rates established. Piece-work rates to be not less than rates paid for identical work done in the factory or on employer's premises; resulting wages not to be less than the minimum fair wage standard established by this order for time workers. Hours worked in excess of 40, in any week after Oct. 24, 1940, are overtime and time and a half the regular hourly rate must be paid for such hours.	Employer must keep records showing dates and hours on which work is given out and returned, amount of work given out and returned, kind of operations performed, piece rates paid, hours worked on each lot returned, amount paid for each lot returned, date payment is made, also name and address of each distributor or subcontractor through whom work is distributed.		Order applies to all women and minors employed under order regardless of nature of employer's business or location of the place where work is done.
Minimum wage mandatory order No. 3—Wearing apparel and allied occupations (as modified). (1942)	Wearing apparel and allied occupations as specified in the order and accompanying schedule.				do	do		Do.
NEW MEXICO. No law.								

NEW YORK:

1931-35 cumulative supplement to 1930 consolidated statutes, ch. 32, arts. 4, 5, and 13, secs. 350-363; session laws: 1940, chs. 386, 422; 1942, ch. 650.

Manufacture in a home in whole or in part with material furnished by an employer of any article or articles to be returned to him, not for the personal use of himself or for a member of his family.

No article of food, no dolls or dolls' clothing, and no stuffed animals or other stuffed toys used in the same way as dolls, may be manufactured in a home for a factory either directly or through a contractor or for an employer.

Employer must secure permit from the commissioner before delivering to another person any materials for manufacture by industrial home work. Annual fees are graduated from \$25 to \$100, based on number of home workers employed.

Each home worker must hold a certificate permitting industrial home work to be done in the home in which he resides.

Certificate must be posted in the place where the work is done. No fee required.

All home work in the industry except by handicapped persons in the branch of the industry known as merchants and custom tailoring.

Employer must have held a permit to distribute home work prior to Apr. 25, 1936. Home worker must have held home-work certificate to work for same employer prior to Apr. 25, 1936. Home worker must be covered by work men's compensation insurance.

A person who is at least 16 years of age, and lives in the home where the work is done.

Home worker must be over 60 years of age and have a physical disability that prevents his doing the same work in a shop.

The commissioner may prohibit home work within an industry if it unduly jeopardizes wages and working conditions of factory workers or injures health and welfare of home workers.

He may also restrict the granting of licenses and permits, and issue rules and regulations to control industrial home work in the permitted industries.

Home worker may work for one employer only at any one time. Home worker must be paid at least the same piece-work rate as that paid to workers on the same or similar operations in employer's factory.

Employer must furnish the commissioner at prescribed intervals with an accurate list of all persons engaged in industrial home work under contract with him; of all places where the work is done; of all materials furnished and distributed, all goods manufactured by such persons, and the wages paid to each home worker.

As part of his payroll, employer must keep a complete record of date of distribution of work, style and amount of work given out, rate of pay, date of return of work, amount of work returned, and total weekly payments. Home worker must record wages and production in a handbook issued by the department.

Employer must attach to all materials for home manufacture a label bearing his name and address in legible English.

Employer must distribute directly to home workers all materials and articles of home work. Not to distribute through home-work contractors.

Home work must be delivered to home worker and called for free of charge by employer.

Industrial commissioner's home-work order No. 1—Men's and boys' outer clothing industry. (1936)

Manufacture, processes and transactions involved in manufacture of outer clothing (except shirts, collars, men's neckwear, hats, hosiery, and knitted wear) for males of 6 years and over.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
NEW YORK— Continued.								
Ibid., No. 2— Men's and boys' neckwear industry. (1937)	Manufacture of and processes and transactions involved in the manufacture of men's and boys' neckwear of all materials for males of 6 years and over.	All home work in the industry except by handicapped persons.	Special home-work permits and certificates may be granted respectively to employers and home workers when it is shown that the applicant as a home worker received home work prior to Feb. 3, 1937, from an employer holding a permit granted prior to that date; that worker is covered by workmen's compensation insurance; and that employer maintains a factory where one or more employees do the same work as assigned to the home worker.	Persons who are unable to adjust to factory work because of age; are physically or mentally disabled for factory work; or cannot leave home because of essential care of an invalid in the home.	The home worker's certificate permits work only for one employer whose name is entered thereon. The amount of work assigned shall not exceed that done in the same week on the same processes by shop workers employed not more than the maximum hours of work for women as established by law. Factory rates to be paid for similar home-work operations.	As part of his pay roll, employer must keep a record of date on which work is issued to the home worker, amount of work assigned, operations performed, rate of pay, date work is returned, amount of work returned, and the total payment made to home worker. Employer must enter this information in a handbook issued to home worker by the department of labor.		Employer must distribute all materials and articles directly to home worker.
Ibid., No. 3— Artificial flower and feather industry. (1939)	Manufacturing, processing, assembling, repairing, or otherwise treating or handling artificial flowers, fruits, leaves, and feathers.	Home work in the artificial flower industry except by handicapped workers under special permit. Home work in the feather industry.	Employers and home workers in the artificial flower industry must obtain special home-work permits and certificates; they must have held permits issued prior to Mar. 10, 1938; the employer	Persons licensed to do home work before Mar. 10, 1938, who are unable to do factory work because of age or physical or mental disability, or because of the essential care of an invalid in the	The maximum amount of work assigned to home worker in any week must not exceed the average amount produced by persons on similar flower-making operations in the shops by work performed	Employer's pay roll must show name and address of each home worker, date on which work is issued, amount of work given out, operations performed, rate of pay, date work is returned, amount of work		The employer must distribute all materials and articles directly to home worker.

Ibid., No. 4—
Glove in-
d u s t r y.
(1942)

Manufacturing, processing, treating, handling, or repairing any articles in the glove industry by industrial home work, and distribution of articles for such work. Excludes employers engaged solely in the dyeing or cleaning of used gloves.

Home work in the industry restricted to handicapped persons.

Permit granted employer if he held permit to distribute home work in this industry prior to Apr. 1, 1941, and maintains a factory in which 1 or more persons are employed on glove operations identical with operations required in home work. Employer shall not distribute home work except to a person holding a home

Persons licensed to do home work in this industry before Apr. 1, 1941, who are unable to do factory work because of age or physical or mental disability, or because of essential care of an invalid in the home.

The maximum amount of work assigned to one worker in any week must not exceed the average amount produced by persons working in the same week on identical operations in employer's factory. Home workers must be paid at least the same piece rate as that paid to workers on identical opera-

must maintain a factory in which persons are employed on flower-making operations similar to those done by home workers. Home workers must be covered by workmen's compensation insurance.

home.

in the regular hours in the same week. Home worker must be paid at least the same rate as shop workers on flower-making operations. Rates and rules governing employment of home workers must be given to each home worker in a form prescribed by the commissioner.

Home worker is permitted to work only for the one employer listed on his or her certificate, and may not be employed as a factory worker while in possession of a home-work certificate.

returned, and the weekly payment made to home worker. Individual information on these matters must be entered by employer in a handbook issued to home workers by the department of labor. Employer must keep a record of daily and weekly hours worked in the plant, and weekly wages for workers in his shop, as well as weekly payments to home workers.

Employer must keep a complete record of the name and address of each worker; date on which work is distributed; style and amount of work given out; operations to be performed; rate of pay; date of return of work; amount of work returned and total weekly payments with dates payments were made.

All materials or articles delivered to home workers must be labeled with employer's name and business address in legible English. The style and amount of work delivered must be shown.

Employer shall distribute all materials and articles of home work directly to home worker and pay all transportation charges.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
NEW YORK— Continued.			<p>worker's certificate issued to him to do industrial home work for such employer. Home worker must be covered by workmen's compensation insurance.</p>		<p>tions in employer's factory. Home worker shall hold only one effective certificate at any one time and work only for employer named on that certificate. He may not be employed as a factory worker while he holds a home-worker certificate.</p>	<p>This information must be entered in the home worker's handbook issued by the department of labor. Employer must also record name and address of each person employed in his factory, daily and weekly hours worked, weekly wages paid, also daily production, operations performed, and the style and amount of work of each factory employee, also total number of dozens of gloves cut weekly and number made weekly.</p>		
NORTH CAROLINA. No law.								
NORTH DAKOTA. No law.								
OHIO: Code (Throckmorton) 1940, secs. 1020-1025.	<p>Process of making wearing apparel or goods for wear, use, or adornment, or manufacture of cigars, cigarettes, or tobacco goods in</p>	-----	-----	<p>No restrictions.</p>	<p>Workroom is deemed a shop or factory, except as to the immediate members of the family living therein. Must be separate</p>	<p>Employer must keep record of persons to whom work is given or contracts made in connection with home work, also of persons from</p>		

any dwelling or building, or room or apartment thereof in or connected with a tenement, dwelling, or other building if articles produced are to be exposed for sale or sold by a manufacturer, wholesaler, jobber, or by a retailer. *Exemption:* Making of garments or other goods for another by personal order, which will be received for wear or use direct from the maker's hands.

OKLAHOMA.
No law.

from, and have no door, window, or other opening into, a living room or sleeping room; must not be used for living or sleeping purposes nor contain household equipment; must have direct entrance from the outside, and if above the first floor, a separate stairway; must be sufficiently lighted, heated, and ventilated. Suitable water-closet accommodations must be provided for employees of each sex. Ratio of accommodations established by law is according to number of employees. Workroom must be kept in a clean and wholesome condition. Stairway and premises within a radius of 30 feet to be kept clean and water closet properly disinfected. The chief sanitary inspector may require necessary changes or cleaning as required to insure freedom from health hazards.

whom goods or tobacco are purchased.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
OREGON: Wage and hour commission order No. 7—Manufacturing. (1941)	The preparation, manufacture, and production of commodities, including photography, creamery, bakery, candy, canning of meat, poultry, and fish, preparing meat and poultry for market, prune drying and packing, weaving and knitting, and all other processes in the production of commodities not covered by special order.	No employer shall permit the manufacture of goods in private homes, in unsanitary basements and buildings, or places unsafe on account of fire hazard.						Applies to women and minors under 18 years of age.
Ibid., No. 10—Nut processing and cracking. (1942)	Commercial cracking and shelling of nuts in a private home or basement of a private home.	Unless owner or occupant of home shall first procure a sanitary permit from the State department of agriculture authorizing him to carry on such activity, the commercial cracking and shelling of nuts in a private home or in basement of a home is hereby prohibited.	See "Working Conditions" column.		Rate paid piece workers must be such that at least one-half the total number employed on that basis earn not less than 40 cents an hour. The maximum working time shall be 8 hours a day and 44 hours a week. In emergency longer hours of employment may be required, but	Employer must keep accurate record of daily and weekly hours and of wages paid to employees.		Do.

PENNSYLVANIA:

Session laws 1937, Act 174, sec. 11, p. 654.

Department of labor and industry—Regulations for industrial home work (1938); session laws 1937, Act 176.

Industrial home work must be conducted in such manner as to insure the safety and health of all persons so employed.

Manufacture in a home of articles or materials for an employer, a representative contractor (acting for an out-of-State employer), or a contractor, afterward to be returned to him, not for the personal use of himself or a member of his family.

Home work on articles of food or drink; articles for use in serving food or drink; toys and dolls; tobacco; drugs and poisons; bandages and other sanitary goods; explosives, fireworks, and similar articles; tearing or sewing of rags; articles which in processing require exposure to harmful substances.

Employer not to furnish materials to contractor or home worker until he obtains a permit. Contractor not to furnish materials to home workers until he obtains a permit. He can accept materials for distribution only from licensed employers or representative contractors.

Persons over the age of 16 years, holding home-worker's certificate, and resident in the home where the work is done.

overtime must be paid at the rate of $1\frac{1}{2}$ times the regular rate. Department of labor and industry may prohibit home work in any industry if bad for workers or dangerous to factory labor standards set by law.

Employer, representative contractor, or contractor not to distribute materials to home workers until he determines that the home where work is to be done meets the sanitary housing standards of the State health department, and is free from communicable disease.

Work to be done only during hours of labor legalized for factory workers of the same age and sex as the home workers.

An employer, representative contractor, or contractor distributing materials direct to home workers must furnish to the department of labor and industry, at stated times, a complete list of home workers employed by him.

List must show worker's name, address, and age (if under 21), also wages received, list of materials furnished, and articles manufactured by each home worker.

Employer must supply a list of his contractors. Contractors must supply a list of employers or representative contractors from whom he received materials.

Employer or representative contractor must place upon each unit of delivery or shipment to a home worker a label, design of which is registered with the department of labor and industry at the time license is procured.

If materials distributed through a contractor, the label must bear name of the contractor in addition to that of the employer or representative contractor. Labels not to be removed until the completed work is returned to employer.

Employer, representative contractor, or contractor distributing materials direct to home workers, must designate some person over 21 years of age (parent, guardian, or home worker), in each home where work is done, to be his representative in that home. The person appointed is held jointly responsible with the employer for carrying out the provisions of the Industrial Home-Work Law, and the Woman's Labor Law, also the rules and regulations of the department of labor and industry, industrial home work.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
PENNSYLVANIA—Con.								All other regulations of the department of labor and industry apply in all matters not specifically covered by these regulations which involve the life, limb, and health of workers.
Department of labor and industry—Regulations affecting employment of women, Rule W-12. (1943)	-----	Processing and sorting of animal hair or bristles.						
PHILIPPINE ISLANDS. No law.								
PUERTO RICO: Session laws: 1939, Act 163; 1943, Act 130.	Manufacture in a home of articles or materials supplied by an employer or his subcontractor, to be returned	Articles of food or drink; articles intended for use in connection with the serving of food or drink; sanitary	Every employer and every representative contractor must procure an employer's permit which shall des-	Home workers must be over 16 years of age and residents in the home in which the work is done.	Industrial home work may be performed only during hours fixed by law or regulation for factory workers	Employer must keep complete and accurate record of persons employed by him in industrial home	Employer must conspicuously label each article or material supplied for home work. Label must	Department of labor is empowered on its own initiative to investigate any phase of industry which

to him not for his personal use or a member of his family.

goods; cigar holders; cigarette cases; pipes for smoking or other articles for the use of smokers; tobacco handling or stripping; powder puffs or cosmetics; explosives, fireworks, or articles of like character, drugs and poisons, tobacco, cigars and cigarettes; the tearing or sewing of used rags; articles which in processing require exposure to harmful substances.

ignite the acts permitted. Valid for 1 year. Graduated fees of \$10 to \$25, based on number of home workers employed. Annual renewal, \$5 to \$10. Person performing industrial home work must possess a valid home worker's certificate.

of the same age and sex as the home workers. Home must be clean, sanitary, free from communicable disease. Power machines permitted by law to be used in industrial home work must have proper guards.

work, places where work is done, articles or materials distributed, and any required description of manufactured articles or goods, also the net cash wages received by each home worker, and a list of subcontractors through whom employer distributes materials.

bear the employer's name and address in legible Spanish. If articles or materials cannot be labeled, identification must be placed on the package or other container.

employs home workers to determine whether conditions of employment are injurious to the health and welfare of home workers and whether prevailing wages and conditions of employment hinder unduly the maintenance and enforcement of existing labor standards for the industry resulting in jeopardy to wages or working conditions of factory employees in the same industry. Following such investigation department may require correction of deficiencies within a reasonable period or the discontinuance of specified industrial home work.

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
<p>RHODE ISLAND: General laws 1938, ch. 293.</p>	<p>Processing in a home out of material furnished by an employer for industrial home work any article or articles to be returned to such employer, not for the personal use of himself or a member of his family.</p>	<p>-----</p>	<p>Employer must obtain an annual license. Graduated fees according to number of workers: \$5 to \$50. Home workers must obtain a certificate from director of labor.</p>	<p>Persons at least 50 years of age, or persons physically handicapped for outside work. Regardless of age or physical handicap restrictions persons 16 years of age or over may be issued certificates in any industry in which home work is customary in the State if home work in that industry and its continuance will not endanger welfare of the industry, the home worker, or the public.</p>	<p>Women or minors doing industrial home work may not work more than the number of hours per day or per week permitted women and minors in factories, manufacturing, mechanical, business, or mercantile establishments within the State. Rates of pay may not be less than those paid for similar or comparable work in the factory. If a home in which industrial home work is performed is in unsanitary condition or if a communicable disease exists in such home, the director of labor must order employers to suspend distribution of home work to that home until further notice.</p>	<p>Employer must keep a complete and accurate list of all persons engaged in industrial home work on materials furnished and distributed by him, of all places where the work is done, of all materials furnished, of all goods processed, and rate of wages paid to each home worker.</p>	<p>-----</p>	<p>Cost of obtaining or returning material or the completed product must be borne by the employer. Employer must allow the worker sufficient time to process the entire amount of home work allotted in order that it may be completed without assistance from other persons.</p>
<p>Minimum wage mandatory order No. 1,</p>	<p>-----</p>	<p>Home work prohibited except by handicapped persons.</p>	<p>Certificate may be issued to physically handicapped</p>	<p>Persons physically handicapped by age or disability.</p>				

<p>Jewelry manufacturing occupations. (1937)</p> <p>Minimum wage mandatory order No. 2. Wearing apparel and allied occupations. (1938)</p>		<p>Home work in the designated occupations prohibited except for handicapped persons.</p>	<p>persons according to provisions of law.</p> <p>do.</p>	<p>Do.</p>		
<p>SOUTH CAROLINA. No law.</p>						
<p>SOUTH DAKOTA. No law.</p>						
<p>TENNESSEE:</p>						
<p>Codes 1932, secs. 6633-6639, 5343.</p>	<p>Manufacture for sale, in whole or in part, of coats, vests, trousers, knee pants, overalls, cloaks, shirts, ladies' waists, purses, feathers, artificial flowers, or any other wearing apparel, or cigars, in any room or apartment in any tenement or dwelling house, used for eating or sleeping purposes. "Manufacture" includes any process of making, altering, repairing, or finishing for sale or for wages.</p>		<p>Children under 16 who live in a place where home work is done may engage in home work only if they have obtained a permit from the bureau of workshop and factory inspection.</p>	<p>Only immediate members of the family living in the place where home work is done.</p>	<p>Workshop must be kept clean; is subject to the supervision of the bureau of workshop and factory inspection.</p> <p>Board of health must be notified within 14 days of the opening of a workshop, by the person occupying it or having control of it. Location, nature of work done, and number of persons employed there must be given.</p> <p>Workshop must be well lighted and ventilated, and contain at least 500 cubic feet of air space for each employee.</p>	<p>Every employer must keep a complete list of industrial home-work shops where he has work done, readily available to the board of health or the bureau of factory inspection.</p>

INDUSTRIAL HOME-WORK LAWS—Continued

State	Coverage	Prohibited work	Permits and certificates	Persons who may be employed	Working conditions	Records	Labels	Miscellaneous
<p>TEXAS: Statutes, 1939 Cum. Supp. (Vernon's), Penal Code, art. 782A.</p>	<p>Manufacture in a home of materials or articles delivered to another person by an employer and thereafter to be returned to him, not for his personal use or a member of his family.</p>	<p>-----</p>	<p>Employer may not deliver materials for industrial home work unless he has obtained a valid annual permit. Fee: \$50. Materials or articles for manufacture by home work may be delivered only to persons having a valid home worker's certificate. No person shall engage in industrial home work unless he obtains a valid home-worker's certificate, issued annually on payment of a fee, not to exceed 50 cents. Certificate covers only work performed by the applicant in his own home.</p>	<p>Any person free from communicable disease, and living in a home that is clean, sanitary, and free from communicable disease. Must be 15 years of age or over.</p>	<p>Issue of permits to employers and home workers forbidden if the home work involves the processing of articles found to be harmful to the workers or to the general public, or if authorization of home work in the industry jeopardizes existing health standards legally established for factory workers in that industry.</p>	<p>Employer must furnish a record of persons employed by him on industrial home work, places where the work is done, articles manufactured, agents or contractors through whom he distributes materials or persons from whom he has received materials for home work manufacture.</p>	<p>Employer must affix to each article, package, or container of home-work goods, a conspicuous label or trade mark of identification showing his name and address in legible English.</p>	<p>State board of health may seize articles manufactured in violation of any provisions of this Act. Notice to be given to employer who may claim goods if desired.</p>
<p>UTAH: Industrial commission minimum wage mandatory order No. 2—Retail trade occupations. (1940)</p>	<p>-----</p>	<p>No employer shall give work that can be finished on the premises to women or minors to be performed outside of the place of business.</p>						

VERMONT.

No law.

VIRGINIA.

No law.

WASHINGTON. No law.

W. VIRGINIA:

Session laws
1939, ch. 76.

Manufacture in a home of articles or materials for an employer not for his personal use or a member of his family (does not include the several departments, agencies, and institutions of the State, nor any of its political subdivisions).

Tobacco; drugs and poisons; bandages and other sanitary goods; explosives, fireworks, and goods of like character; any other articles the manufacture of which, by industrial home work, is violative of State law.

Employer must obtain annual permit from the commissioner of labor. Fee: \$50. Employer may not deliver any materials for manufacture by industrial home work to person not in possession of valid home worker's certificate. Each home worker must obtain an annual certificate from the commissioner of labor. Issued free.

No restrictions

Employer must affix to each article or to the package or container in which materials are delivered a conspicuous label or other mark of identification showing his name and address in legible English.

Commissioner of labor is authorized to investigate all phases of industrial home work including any industry which employs industrial home workers. Commissioner of labor may remove any article manufactured in a home in violation of this law. Employer to be notified of the removal and may reclaim the article within 30 days after notice.

WISCONSIN:

Statutes 1943,
secs. 103.44,
103.69, and
146.03.

Manufacture, alteration, repair, or finishing of articles in any tenement or dwelling, shed or other building in the rear thereof, for the owner or lessee of any factory, or contractor of such person.

Employer of home workers must obtain valid permit from the industrial commission authorizing him to engage in home-work manufacture. Employer must obtain license from the local

Persons who live in the premises where the home work is performed. Workers must be at least 18 years of age.

Employer's permit to engage in home work is issued on condition that he will comply with State laws regulating wages and hours of employment for women and minors in regularly established factories and

Employer must keep register of names and addresses of persons to whom work is given, of those with whom contracts were made, quantities of work given out and completed, and wages paid.

Employer must issue, with articles or materials for home work, labels showing the name or location of factory in legible English.

