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State Minimum - Wage Laws and Orders

Women's Bureau Bulletin 267

Part I. Historical Development and Statutory Provisions



U. S. DEPARTMENT OF LABOR

JAMES P. MITCHELL, *Secretary*

WOMEN'S BUREAU

MRS. ALICE K. LEOPOLD, *Director*

STATE MINIMUM-WAGE LAWS AND ORDERS

July 1, 1942, to July 1, 1958

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and

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FOREWORD

The present report, covering the 16-year period 1942 to 1958, is the latest in the Women's Bureau series on State minimum-wage laws and orders. It supersedes Bulletin 247 and its three supplements which brought the material up to August 16, 1956.

The series covers the entire history of State minimum-wage legislation from the passage of the first law by Massachusetts in 1912. Previous bulletins are listed on page 31.

In the present report, for the first time, the material is divided into two parts. Part I contains a descriptive summary of the history of minimum-wage laws, their concepts and constitutionality, new trends, and present-day effectiveness. It also contains lists of industries and occupations covered by minimum-wage rates, current orders, amendments, and laws and orders not revised since 1942. A folding chart at the back contains an analysis of the basic statutory provisions of State minimum-wage laws including coverage, administrative authority, basis of wage rates, and procedures for establishing minimum-wage rates by wage order.

Part II, issued separately, contains a chart analyzing the wage-rate provisions of 119 orders and 13 statutes which became effective after July 1, 1942, and were still in effect as of July 1, 1958. This represents 28 of the 34 jurisdictions having minimum-wage laws on the statute books in 1958. Part II is issued in loose-leaf form to facilitate periodic revision. An analysis of the Puerto Rico law will be issued as an addendum to part II.

The research for the present report was done and the report written by Regina M. Neitzey under the direction of Alice Angus Morrison, Chief of the Bureau's Division of Women's Labor Law and Civil and Political Status.

Alice K. Leopold,
Director, Women's Bureau.

FORWARD

A previous report covering the period 1917 to 1925, as the
part of the Woman's Division of the National Woman's
Party, is hereby printed in this report, and the title
changed to "The Woman's Party of the United States
1917-1925". This report covers the entire history of the
organization from its inception in 1917 to the present
time. It contains a description of the party, its
principles, its aims, its organization, its activities,
and its present position. It also contains a list of
the members of the party, and a list of the
officers and directors. The report is intended
to give a complete and accurate account of the
party, and to show its growth and development
since its inception. It is hoped that this report
will be of interest and value to all those
concerned with the progress of the
woman's movement in this country.

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Historical Development and Statutory Provisions

DEVELOPMENT

History of Minimum-Wage Laws

Minimum-wage legislation has had a long and impressive history, both in the United States and elsewhere. Early American laws drew largely on the minimum-wage experience of the English-speaking countries, particularly Australia, New Zealand, and Great Britain.

Women in large numbers had gone into industry in the late 19th century and a number of industrial studies made at about that time focused public attention on their working conditions. Employment for unreasonably long hours and at wages inadequate to provide the bare necessities was the lot of many women. Recognizing the need for action, Congress in 1907 authorized the Secretary of Commerce and Labor to make an extensive investigation of the "industrial, social, moral, educational, and physical condition of woman and child workers in the United States." The resulting report—Senate Document No. 645, 61st Congress, 2d session—gave immeasurably increased impetus and force to an already growing movement by the shock it administered to the conscience of the people.

State and Territorial minimum-wage laws

Then, as now, more than widespread concern was needed to get local correction of unreasonably long hours and inadequate wages—specifically, prolonged efforts by citizens willing to take responsibility for carrying through a program. The National Consumers' League, vigorously concerned, was instrumental in forming a joint committee to bring together various groups,¹ including organized labor, for the enactment of a law in Massachusetts. The Women's Trade Union

¹ Besides the Women's Trade Union League and the Consumers' League, organizations in the committee included among others the Massachusetts Child Labor Committee, the Women's Educational and Industrial Union, the Central Labor Union of Boston, and the Massachusetts Branch of American Association of Labor Legislation.

League of Boston sponsored a bill in 1911 asking for appointment of a commission to study the question of wages of women and children and the advisability of establishing wage boards. The joint committee successfully carried the burden of the campaign and in 1911 the legislature passed a bill appointing a commission to study the need for a law. In January 1912 the commission's report went to the legislature. The public, aroused by the commission's findings, virtually assured the passage of legislation, although concessions had to be made in the final draft. Subsequently, the first State minimum-wage law was adopted in Massachusetts, in 1912.

Later, in various States this pattern of a temporary working organization to achieve a legislative objective was repeated.² The National Consumers' League took the initiative for legislative action again in the 1930's, including the preparation of draft language with the technical assistance of leading legal scholars.

The Massachusetts law set the pattern for subsequent minimum-wage legislation in many important respects. It established the concept of a living wage, i. e., a wage adequate to maintain a woman worker in health without outside subsidy. The law, as did all except one of the earlier laws, originally applied only to women and minors—the groups for whom the need was greatest and for whom court decisions on maximum hours legislation had made the possibility of legislative relief more feasible. It created a new State agency responsible for the administration and enforcement of the law. And, most important, it provided for industry wage boards, composed of workers, employers, and the public, authorized to recommend minimum wages for individual industries. The early Massachusetts law was not mandatory but depended entirely on the force of public opinion for compliance.

From a beginning in Massachusetts, interest next spread to the West. In 1913, minimum-wage laws for women were enacted in California, Oregon, and Washington, and in five other western and midwestern States: Colorado, Utah, Nebraska, Minnesota, and Wisconsin. Of these, all except Nebraska have active minimum-wage administration today. Some have gone through several stages of enactment and repeal; but the laws of California, Oregon, and Washington have been continuously in effect through the entire 45 years to the present, and all three are of the wage-board type. The background of technical experience gained by citizens of these States lends support and example to groups in other States working for minimum-wage laws, particularly of this type.

The nine early minimum-wage laws were soon followed by others: Arizona, Arkansas, Kansas during World War I, and the District of

² Women's Bureau Bulletin No. 66-1, History of Labor Legislation in Three States, gives the background story of Massachusetts, New York, and California.

Columbia, North Dakota, Puerto Rico, South Dakota, and Texas soon after. The laws of Texas and Nebraska, however, were repealed during the decade 1914–1923 and have not been reenacted.

The depression years of the 1930's brought renewed and successful public action to establish a floor to wages by law. In 1933, six additional States enacted laws: Connecticut, Illinois, New Hampshire, New Jersey, New York, and Ohio. In 1936 Rhode Island passed its law. Pennsylvania, Oklahoma, and Nevada adopted laws in 1937. During this period, three States which had previously passed laws enacted new legislation: Massachusetts and Utah in 1933 and Arizona in 1937.

Laws were enacted before the United States entered World War II by five more jurisdictions: Louisiana and Kentucky (1938); Maine and Alaska (1939); and Hawaii (1941). In 1941 also, Puerto Rico enacted a second law. Although no other States enacted minimum-wage laws between 1941 and 1955, existing laws were revised and strengthened. Continued interest in such legislation and growing public concern were reflected in the number of bills introduced in various State legislatures.

In 1955, three States enacted minimum-wage legislation for the first time—Idaho, New Mexico, and Wyoming. In 1956, Puerto Rico passed its third minimum-wage law and Rhode Island, its second. With the passage of a law in Vermont in 1957, the number of jurisdictions with such legislation was increased to 34.

Federal minimum-wage legislation

State experimentation and technical experience with minimum-wage legislation formed the basis for minimum-wage action by the Federal Government, first under the National Industrial Recovery Act in operation from 1933 to 1935, and since 1938 through the Federal Fair Labor Standards Act. This act establishes minimum-wage and overtime rates for both male and female employees in industries engaged in or affecting interstate commerce. As amended in 1955 (effective in 1956), the act provides for a minimum hourly rate of \$1, with time and one-half the employee's regular rate for all work in excess of 40 hours a week.

The effect of the Fair Labor Standards Act on State minimum-wage legislation is important and of interest. There is nothing in the act to prohibit States from establishing higher minimum rates for employees in interstate industries located within their borders, if they desire to do so. The act provides that if a State standard is higher, the State standard shall prevail. During the years—1938 to 1949—that the Federal minimum remained stationary at the initial 40-cent

hourly rate, this provision enabled States to set minimum wages for interstate employment in line with the rising cost of living. However, in recent years, the States have tended to concentrate on the intra-state trade and service occupations where the need for legislative protection has persisted because of the generally low wages, long hours, and relatively little union organization.

Minimum wage in other countries

New Zealand is generally credited with enacting the first minimum-wage law. In 1894 it created district conciliation boards similar in many ways to later wage boards in the United States—boards of from 4 to 6 members—with equal numbers of employers and workers elected by their respective groups, and an impartial outside chairman chosen by the board.

Next, the Province of Victoria, Australia, set up a legal system of wage boards in 1896, followed by laws in a number of the other Australian provinces and by a general Commonwealth measure in 1904.

In 1909, Great Britain passed its Trade Boards Act providing for the setting up of trade boards in certain industries where wages had been found to be abnormally low. The original British act applied to only 4 trades—tailoring, paper-box making, machine-made lace, and chainmaking—but in 1913 it was extended to include 5 other sweated industries. Since then additional industries have been brought under the act. An interesting characteristic of British trade boards is that they are continuous in their operation.

Concepts and Constitutionality

State minimum-wage laws in this country were based on a common premise: Public concern for women and minor workers who, because they lacked special skills and were poorly organized in trade unions, were easily subject to exploitation.

Basic social concern for the well-being of employed women and minors is revealed in the wording of the laws themselves. The Minnesota statute, for example, defines living wages to mean “wages sufficient to maintain the worker in health and supply him with the necessary comforts and conditions of reasonable life.” In California, the law provides that a wage board is to be called whenever after investigation the commission is of the opinion that the wages paid to women “are inadequate to supply the cost of proper living, or the hours or conditions of labor are prejudicial to the health, morals, or

welfare of the workers." Oregon: ". . . it shall be unlawful to employ women in any occupation . . . for wages which are inadequate to supply the necessary cost of living and to maintain them in health." Washington: "It shall be unlawful to employ women . . . in any industry or occupation . . . under conditions of labor detrimental to their health or morals; and . . . at wages which are not adequate for their maintenance."

This principle of wage protection based on the cost of living is a basic concept of State minimum-wage legislation in the United States.

In 1923 the United States Supreme Court in the case of *Adkins v. Children's Hospital*,³ held one of the mandatory minimum-wage laws based on the cost of living unconstitutional. The District of Columbia cost-of-living law was involved in this case. Excerpts from the majority opinion reveal the position of the Court:

The statute . . . is attacked upon the ground that it authorizes an unconstitutional interference with the freedom of contract . . . the right to contract about one's affairs is a part of the liberty of the individual protected by [the Constitution] . . . within this liberty are contracts of employment of labor. It is simply and exclusively a price-fixing law, confined to adult women . . . who are legally as capable of contracting for themselves as men.

. . . To the extent that the sum fixed exceeds the fair value of the services rendered, it amounts to a compulsory exaction from the employer for the support of a partially indigent person, for whose condition there rests upon him no peculiar responsibility, and therefore, in effect, arbitrarily shifts to his shoulders a burden which, if it belongs to anybody, belongs to society as a whole.

The feature of this statute which, perhaps more than any other, puts upon it the stamp of invalidity is that it exacts from the employer an arbitrary payment for a purpose and upon a basis having no causal connection with his business, or the contract or the work the employee engages to do.

For a decade, further development of minimum-wage legislation was checked. However, a significant number of States, including those on the west coast and North Dakota, continued to administer their laws as written, applying them to both women and minors on the ground that the *Adkins* case interpreted the District of Columbia law only, the laws of other States not being at issue in the decision. In some States the adverse Supreme Court decision was interpreted by State authorities as preventing active enforcement for women. Such States did, however, continue to enforce the laws as they applied to minors.

The early depression years stirred a revival of interest in minimum-wage legislation as a means of meeting the wage-cutting practices and eliminating sweatshop conditions that then prevailed. In view of the *Adkins* decision, sponsors of these laws had developed a new

³ *Adkins v. Children's Hospital*, 261 U. S. 525.

concept intended to overcome the constitutional objections of the United States Supreme Court in the 1923 case. The principle of a fair return for the services rendered was incorporated in the statutes, usually in addition to the original cost-of-living concept. These laws became known as the "fair-value" laws to distinguish them from the earlier so-called "cost-of-living" laws.

The fair-value laws, too, were challenged in the courts and in 1936⁴ the United States Supreme Court declined to overrule the decision of the New York Court of Appeals which had held unconstitutional the New York law based on this concept, declaring that it failed to perceive any material difference between the fair-value statute and the early District of Columbia law. The New York statute involved in this challenge was one of the several laws which had been enacted in 1933. The action of the Court was interpreted by some as virtually to exclude minimum-wage regulation, at least so far as adult employees were concerned. In fact, the question before the Court was a narrow one. Mr. Chief Justice Hughes in a later case described it in this way:

. . . (*Morehead v. Tipaldo*) came here on certiorari to the New York Court, which had held the New York minimum-wage act for women to be invalid. A minority of this Court thought that the New York statute was distinguishable in a material feature from that involved in the *Adkins* case and that for that and other reasons the New York statute should be sustained. But the Court of Appeals of New York had said that it found no material difference between the two statutes and this Court held that the "meaning of the statute" as fixed by the decision of the State court "must be accepted here as if the meaning had been specifically expressed in the exactment." That view led to the affirmance by this Court of the judgment in the *Morehead* case, as the Court considered that the only question before it was whether the *Adkins* case was distinguishable and that reconsideration of that decision (*Adkins*) had not been sought. (*West Coast v. Parrish*, 300 U. S. 379.)

In 1937, less than a year after the *Morehead* case, the Washington State minimum-wage law, one of the cost-of-living statutes, came before the United States Supreme Court in the famous case of *West Coast Hotel v. Parrish*.⁵ The Court specifically reversed its position taken in 1923 when it held the District of Columbia law invalid. With reference to the *Morehead* case the Court said: "We think that the question which was not deemed to be open in the *Morehead* case (the correctness of its decision in the *Adkins* case) is open and is necessarily presented here." Excerpts from the majority opinion reveal the new position taken by the Court:

The principle which must control our decision is not in doubt. The constitutional provision invoked is the due process clause of the Fourteenth Amendment . . . In each case the violation alleged by those attacking minimum-wage regulation for women is deprivation of freedom of contract. What is this freedom? The Constitution does not speak of freedom of contract. It speaks of liberty and prohibits the deprivation of liberty without

⁴ *Morehead v. Tipaldo*, 298 U. S. 587.

⁵ *West Coast Hotel v. Parrish*, 300 U. S. 379.

due process of law. In prohibiting that deprivation the Constitution does not recognize an absolute and uncontrollable liberty.

This power under the Constitution to restrict freedom of contract has had many illustrations. That it may be exercised in the public interest with respect to contracts between employers and employees is undeniable.

It is manifest that this established principle is peculiarly applicable in relation to the employment of women in whose protection the State has a special interest.

One of the points which was pressed by the Court in supporting its ruling in the *Adkins* case was that the standard set up by the District of Columbia Act did not take appropriate account of the value of the services rendered. In the *Morehead* case, the minority thought that the New York statute had met that point in its definition of a "fair wage" and that it accordingly presented a distinguishable feature which the Court could recognize within the limits which [the case] was deemed to present. The Court, however, did not take that view and the New York Act was held to be essentially the same as that for the District of Columbia. The statute now before us is like the latter, but we are unable to conclude that in its minimum-wage requirement the State has passed beyond the boundary of its broad protective power.

The minimum wage to be paid . . . is fixed after full consideration by representatives of employers, employees, and the public. It may be assumed that the minimum wage is fixed in consideration of the services that are performed in the particular occupations under normal conditions.

There is an additional and compelling consideration which recent economic experience has brought into a strong light. The exploitation of a class of workers who are in an unequal position . . . is not only detrimental to their health and well-being but casts a direct burden for their support upon the community. What these workers lose in wages the taxpayers are called upon to pay. The bare cost of living must be met.

Our conclusion is that the case of *Adkins v. Children's Hospital*, should be, and it is, overruled.

This favorable decision immediately stimulated legislative and administrative activity in the minimum-wage field. Five new States enacted laws and nine States validated, amended, or reenacted their laws during the years 1937 and 1938. There was also increased activity in the establishment of wage boards and the issuance of wage orders which translated the benefits of the laws into actuality for many women and minor employees.

There have been many State Supreme Court rulings on the validity of minimum-wage legislation. Three State cases, dealing with fair-value laws, are of particular interest because the United States Supreme Court has not specifically ruled on that type of legislation. Pennsylvania⁶ in 1942, Ohio⁷ in 1945, and Kentucky⁸ in 1947, all upheld the constitutionality of their laws on the ground that such legislation was not an improper or unwarranted delegation of legislative power and authority.

In the *Fisher* case in Pennsylvania and the Ohio case, *Strain v. Southerton*, the decision was limited to delegation of legislative power

⁶ *In re Fisher*, 344 Pa. 96, 23 A. 2d 878.

⁷ *Strain v. Southerton*, 75 Ohio App. 435, 62 N. E. 2d 633.

⁸ *Young v. Willis*, 305 Ky. 200, 203 S. W. 2d 5.

and authority. Both State Courts held that the minimum-wage law was not an improper or unwarranted delegation since the legislature had provided, in the law, definite standards for guidance in establishing minimum wages and the duties carried out are administrative rather than legislative in character.

In *Young v. Willis*, the Kentucky Supreme Court, in addition to holding that the reasonable standards for guidance in the law saved it from being an unconstitutional delegation of legislative power, also ruled on the issue of whether the legislation was special or class legislation, prohibited by the State Constitution. (The particular challenge was directed to the provision permitting the setting of rates varying with locality.) On this point the Court said:

A law is not special or local solely because it does not relate to the general public. It may relate to a special class or a special locality if the facts reasonably differentiate that class or locality from the general public or from the State at large. In this act the Legislature made the cost of living an element in the determination of a fair minimum wage, and it is common knowledge that there is a wide discrepancy between the cost of living in different localities in the Commonwealth. The General Assembly undoubtedly realized this when it made it possible for the Commissioner and the Wage Board to consider and act on facts which establish the differences in the various localities.

The constitutional validity of the New York amendment to cover men (see next section for details) was challenged in the courts of New York during 1952.⁹ By analogy to the Federal Fair Labor Standards Act and citing the *Darby* case in which the constitutionality of the Act was upheld,¹⁰ the lower court found the supplementary protection amendment constitutional and valid:

As an Act of Congress prescribing minimum wages for men does not violate the Fifth Amendment, I think it necessarily follows that a State statute prescribing minimum wages for men does not violate the Fourteenth Amendment.

Again, the constitutionality of the New York amendment to cover men employed in establishments where no women and minors are employed was challenged in the courts¹¹ during 1957. The supplementary protection amendment was declared constitutional even when coverage is extended to lodging houses where only men are employed. On appeal from the New York Court of Appeals, this case was dismissed by the United States Supreme Court "for want of a substantial Federal question."¹²

A recent decision by the New Jersey Supreme Court on the authority of the State Labor Commissioner to establish overtime rates is of special interest. The New Jersey wage order for the Laundry and Cleaning and Dyeing Occupations provides, in addition to the basic

⁹ *Lyons v. Corsi*, 116 N. Y. S. 2d 520.

¹⁰ *U. S. v. Darby*, 312 U. S. 100.

¹¹ *Lyons v. Lubin*, 3 N. Y. 2d 60.

¹² *Lyons v. Lubin*, U. S. Supreme Ct., Docket No. 614, Jan. 6, 1958.

minimum, for payment of overtime based on the employee's regular rate, after 40 hours a week (previously after 48, until Aug. 7, 1956; after 44, until Nov. 8, 1956). The validity of the minimum-wage order was contested on the issue of "whether an overtime rate higher than the basic minimum was an appropriate part of a minimum fair wage and could be properly included in the regulations added by the commissioner to the recommendations of a wage board." The New Jersey Supreme Court in 1957 upheld the wage order.¹³

This decision marks the first time that the highest court of any State has affirmed the validity in a minimum-wage order for an intra-state service occupation of an overtime provision similar to that established for interstate workers by the Federal Fair Labor Standards Act. In the opinion the court stated:

. . . that the commissioner's determination to establish overtime rates based upon the "regular hourly wage" as stated in Mandatory Order No. 10 must be sustained as a valid exercise of a properly delegated authority.

Many important cases on minimum-wage legislation have been decided in the State and Federal courts. The basic issue has been the right of the State, or the Congress, through its authority to protect certain classes of workers. The leading State cases are *Adkins v. Children's Hospital* (supra), which held the District of Columbia law unconstitutional; and *West Coast Hotel v. Parrish* (supra), which in upholding the constitutionality of the Washington State law reversed the *Adkins* decision. An important Federal case upheld the constitutionality of the Federal Fair Labor Standards Act (supra).

Trends in State Minimum-Wage Legislation

With the constitutionality of State laws firmly established in 1937 and the passage of the Federal Fair Labor Standards Act in 1938, minimum-wage legislation became an accepted and important part of our basic social legislation. Though perception of the need for it was less widespread when average wage levels went up, first with economic recovery and later during World War II, State minimum-wage activity continued, resulting in the passage of new laws as well as numerous changes and improvements in existing legislation.

In 1939, Connecticut became the first State to bring men under coverage by an amendment to its law. Subsequently four additional States have by various provisions broadened coverage to include men: New York in 1944, Rhode Island in 1945, Massachusetts in 1946, and New Hampshire in 1949. New legislation in four other States—

¹³ *Lane v. Holderman*, 23 N. J. 304, 129 A. 2d 8.

Idaho, New Mexico, Wyoming (1955) and Vermont (1957)—cover men and women, as do the laws of Alaska (1955), Hawaii (1942), and Puerto Rico (first in 1941 and again in 1956).

A second important recent development in basic standards has been the establishment of statutory rates either by new laws or by the incorporation of such rates in laws that already provided for wage orders through wage-board action. Three States—Massachusetts, New Hampshire, and Connecticut—amended their laws to provide for a statutory rate, at the same time retaining wage-board procedure. The new laws of Idaho, New Mexico, and Wyoming establish statutory rates only. The Vermont law establishes a statutory rate and provides for wage-board rates. Recently, Rhode Island passed a new law establishing a statutory rate with wage board provisions applicable to establishments with more than three employees; the earlier law providing for wage-board action only is still in effect for persons exempt from the statutory-rate coverage. In Puerto Rico, two previous minimum-wage laws were repealed by 1956 legislation which provides for a statutory rate with wage-board provisions.

Of the 14 jurisdictions with statutory rates or statutory and wage-board rates: 1 (Alaska) has a rate of \$1.25 an hour—higher than the Federal minimum; and 6 (Connecticut, Massachusetts, Nevada, Rhode Island, Hawaii, and Puerto Rico) have statutory rates of \$1 an hour, the same as that set by the Federal Fair Labor Standards Act.

Minimum-wage laws applicable to men and women

Although minimum-wage laws in this country were designed originally to give protection to women and minors, recognition that many men workers need similar legislative protection is not new. Laws in nine States and three Territories include men and women in their coverage.

In 1937, the Oklahoma law was written to cover men, women, and minors but was held invalid as to men and minors because of a technical defect in the title. The Federal Fair Labor Standards Act enacted in 1938 covers both sexes and its constitutionality was settled in the Darby case. The laws in Puerto Rico (1941) and Hawaii (1942) also covered all employees.

Coverage of men in five States was originally attained by one of two different methods: The general coverage amendment and the so-called indirect method. Connecticut, Massachusetts, and New Hampshire followed the method of general coverage, while New York and Rhode Island used the indirect method.

Under both types of coverage the law is made applicable to all persons or employees in the covered occupations in the same manner

and to the same extent as if such persons had been expressly included originally. Under general coverage, "employee" is defined as any person rather than as a woman or minor, thus making the law applicable to persons of both sexes throughout. A variant provision enacted in New Hampshire retains the original wage-board law applicable to women and minors on the books but adds new sections, setting a statutory rate applicable to all employees, save those specifically exempted. Under the so-called indirect method of covering men, used in New York and Rhode Island (now partially superseded) the wage-board sections continue to apply to women and minors but an added new section prohibits the employment of men at wage rates or under standards lower than those prescribed by wage orders for women and minors in the occupation. The enforcement sections were amended to make them apply to all employees.

Although coverage of adult men by State minimum-wage laws is a relatively new development in a number of States, minimum-wage laws from the beginning have covered male minors in most States.

Statutory-rate laws

In 1941, only three States—Arkansas, South Dakota, and Nevada—and Hawaii had statutory rates, i. e., rates set by the legislature. Statutory-rate laws have been characterized as "inflexible" because they make no provision for adjustment to changing economic conditions, as do laws that provide for wage boards to adjust minimum wages in particular industries. However, revision of statutory or flat-rate laws can be, and has been, accomplished by legislative action. For example, by amendment, the hourly rate set by statute in Nevada, is now \$1, equal to that set by the Federal Fair Labor Standards Act as amended; the rate in Hawaii was 90 cents, until July 1, 1958, when it was increased to \$1 an hour.

Recently statutory rates were established in four jurisdictions. New legislation became effective during 1955 in Alaska, which fixed the statutory minimum hourly rate of \$1.25, higher than that set by the Federal Fair Labor Standards Act as amended; and in Idaho, New Mexico, and Wyoming, where the rate set was 75 cents an hour. As a result, in eight jurisdictions, wage rates are established by statute only.

The advantage of a statutory rate in establishing immediate widespread minimum-wage protection is recognized by most State administrators. But years of experience, with wage orders tailor-made to meet the needs of individual industries or occupations and readily adjustable to economic changes, have made many administrators take a cautious approach to depending exclusively on statutory rates. While they recognize the advantage of the latter, they appreci-

ate from long experience the value of the former. Realizing the value of both forms of minimum-wage rates, five States and Puerto Rico now have laws which establish statutory and wage-board rates. These rates were attained by new legislation in Puerto Rico, Rhode Island, and Vermont, and by amendments to existing laws in Connecticut, Massachusetts, and New Hampshire.

The Rhode Island statute establishes a statutory rate of \$1 an hour (90-cents an hour in the original law of 1956 but amended in 1957) for employees of employers of four or more persons; permits an allowance for gratuities, as part of the minimum hourly wage rate, in an amount not to exceed 30 cents an hour; and prohibits deductions from the minimum for board, lodging, apparel, or other facilities furnished by the employer. The Director of Labor, with the assistance of advisory boards, is authorized to issue administrative regulations necessary to carry out the purposes of the act, prevent the evasion thereof, and safeguard the minimum rates. Such regulations may include definition of terms, outside or traveling salesmen, learners and apprentices, and provisions for special or extra pay for special, overtime, or extra work.

In Puerto Rico, 1956 minimum-wage legislation establishes a Minimum Wage Board with authority to fix minimum wages and to revise them at least once every 2 years until attaining, as rapidly as possible, a minimum of \$1 an hour in all industries. The new law in Vermont sets a statutory rate of 75 cents an hour and authorizes the commissioner to appoint a wage board with authority to: (a) recommend a suitable scale of rates for learners, apprentices, and handicapped persons; (b) recommend and determine the amount of deductions for board, lodging, apparel, or other items or services supplied by employer or such other conditions or circumstances as may be usual in a particular employer-employee relationship, including gratuities.

Previous to the new laws in Rhode Island, Vermont, and Puerto Rico, the addition in three States of statutory rates to wage-board laws was widely heralded as a significant step in minimum-wage development. Differences among the three statutory-rate amendments are of interest.

In New Hampshire the 50-cent statutory-rate amendment, effective in July 1949, was made applicable to all employees with certain exemptions that include among others employees in restaurants, hotels, inns, and cabins. Female and minor employees in these latter occupations received minimum-wage protection in New Hampshire because the Attorney General ruled that wage orders for women and minors can continue to be issued for the occupations covered by the original New Hampshire law. Following the statutory-rate amendment, the commissioner readjusted the rates of existing wage orders for women and minors, increasing them to the 50-cent level with

the practical result that in the restaurant, hotel, inn, and cabin occupations only women and minors have the protection of the 50-cent minimum wage.

The Attorney General has ruled that the New Hampshire amendment gives the commissioner authority to increase the 50-cent statutory rate through the issuance of wage orders in occupations not exempt by law. The commissioner has not yet used this authority to increase the statutory minimum. However, by amendments the statutory minimum for men, women, and minors was raised in 1953 to 60 cents, in 1955 to 75 cents, and in 1957 to 85 cents an hour.

Massachusetts amended its minimum-wage law in 1949 to establish a statutory rate applicable to all employees within the terms of the law but not covered by wage orders. Wage orders are in effect for most of the major trade and service occupations so that the statutory rate applies largely to classes of workers not identified with the major occupational groups. Between August 1949 and December 1952, Massachusetts issued nine orders increasing minimum wages over previous orders but not in every instance establishing rates as high as the statutory level.

In 1952, the State legislature added two significant provisions to the Massachusetts minimum-wage law. One of these provisions requires the Commissioner of Labor to make a biennial review of all wage orders, as an additional safeguard against the possibility of a static rate. The other provision establishes a floor below which wage-order rates, except in a few specified categories, must not fall. Both of these features are designed to make the minimum-wage law flexible enough to meet changing economic conditions.

The original statutory rate in Massachusetts was set at 65 cents an hour, effective January 1950. Since that time, this rate has been replaced by a 75-cent hourly rate in 1952; a 90-cent rate in 1955; and a \$1 rate, effective January 1957—the same as that set by the Federal Fair Labor Standards Act. The first minimum below which no wage board could make recommendations was 65 cents an hour in 1952; this minimum was raised to 75 cents in 1956. An amendment in 1956 requires the Commissioner of Labor to issue a mandatory order automatically advancing minimum-wage orders to the established hourly minimum. In 1957, wage-board rates were increased to 80 cents an hour, when the statutory rate of \$1 an hour became effective January 4, 1957. However, wage boards have recommended rates higher than the 80-cent hourly minimum in five wage orders. Another 1956 amendment in Massachusetts provides that a wage board may recommend overtime rates for all hours worked in excess of 40 in any week.

In 1957, the statutory rate in Connecticut—the third State which amended its minimum-wage law to establish a statutory rate—was increased to \$1 an hour from 75 cents an hour. The 75-cent statutory

amendment, enacted in 1951, mandatory January 1952, was the first statutory rate to equal the Federal minimum then in effect (which was raised from 75 cents to \$1, effective 1956) although other States had attained the 75-cent level through wage orders. The Connecticut rate applies to all occupations within the terms of the law, except as occupational wage orders are issued setting minimum wages equal to or exceeding the statutory minimum.

Connecticut's amendment gave the commissioner express authority to make administrative regulations appropriate to carry out the purposes of the act. The law directs that these regulations shall be developed with the assistance of advisory boards representing the occupations to which the regulations will apply, thereby facilitating adaptation of the statutory rate to fit the needs of individual occupations and industries. Administrative regulations issued by Connecticut under these provisions relate to such matters as board and lodging, tips, uniforms, learners and apprentices, waiting time, and employment on a split shift. Similar authority to issue administrative regulations was incorporated in the 1956 Rhode Island law.

Present-Day Effectiveness

The early minimum-wage laws did much to improve unfavorable conditions and to raise the extremely inadequate wages of women both in manufacturing and in trade and service occupations. Enactment of the Federal Fair Labor Standards Act in 1938, with coverage of workers in interstate production, gave the vast majority of workers in manufacturing industries broad minimum-wage protection. During the years that the Federal minimum remained at 40 cents an hour, a number of State minimum-wage orders were of direct benefit to interstate workers. Two amendments—raising the rate to 75 cents an hour in 1949 and to \$1 in 1956—again assured industrial workers in the lowest wage brackets protection under the Federal law. However, trade and service workers receive no direct benefits from the Federal Fair Labor Standards Act since it does not apply to workers in intrastate industries as such.

Now, as in the early days of minimum wage, trade and service industries employ large numbers of unskilled workers, still often poorly organized in trade unions, at a relatively lower wage scale than that for more skilled work. Therefore, even where minimum-wage laws have been extended to men, wage orders continue to be issued largely for the trade and service industries in which large numbers of women are employed.

An analysis of current State minimum-wage orders indicates the

extent to which the minimum-wage States have accepted the challenge and responsibility for setting a wage floor in trade and service industries. Of the more than 80 orders now in effect issued in 18 States and the District of Columbia over the 5-year period, between March 1953 and July 1958, over two-thirds have been for the major trade and service occupations: Mercantile or retail trade, beauty or personal service, public housekeeping including hotels and restaurants, laundry and dry cleaning, and amusement and recreation. One-third of these orders for trade and service occupations established an hourly rate of \$1 or more.

It seems clear that State administrators have recognized that under State minimum-wage laws a significant service can be rendered by the issuance of wage orders for the service industries, thus supplementing the regulation of manufacturing by the Federal Government. Some States continue to issue orders for manufacturing, thus providing minimum rates for workers in intrastate as well as interstate industries.

The benefits of minimum-wage legislation to workers are measurable not only in terms of wages and/or hours of work established but also in terms of the fringe benefits provided. In most States wage orders also contain provisions or regulations safeguarding prescribed wage rates. These wage-related provisions in wage orders have done much to improve working conditions as well as to insure receipt by the worker of the established wage. Some of the more important and frequently occurring of these benefits derive from regulations affecting industry practices on overtime pay, split-shift provisions, gratuities, meals and lodging, and uniforms.

Occupational coverage

In addition to concentrating on the trade and service occupations, States sought to extend minimum-wage protection by broadening occupational coverage of existing orders as such orders were revised and by issuing new orders for occupations or industries not previously covered.

The California wage orders, first revised in 1942, and revised again in 1947, 1952 and 1957, illustrate this broadening of coverage. For example, the wage-order coverage for public housekeeping was extended to include nurseries, sanitariums and rest homes, and establishments contracting for maintenance or cleaning of commercial quarters or living quarters in the 1947 revision. Child-care institutions and homes for the aged; taverns, bars, and cocktail lounges; and establishments providing veterinary or other animal care were added in 1952 to the coverage of the California public housekeeping order and retained in the 1957 revision.

New groups of workers have received minimum-wage benefits for

the first time in some States by the issuance of orders for occupations or industries not previously covered by minimum wages. Examples of this trend can be found in New York with a 1953 order for counselor staff, in Oregon with 1956 orders for amusement and telephone industries and a 1957 order for organized youth camps; and in California with a 1957 order for the broadcasting industry.

Overtime

The practice of establishing an overtime rate as an integral part of the minimum-wage scale has been increasing. Such provisions recognize that many women workers, since they have the dual responsibility of home and job, have a special need for the moderate hours of work which overtime provisions encourage. Since the majority of State minimum-wage laws apply only to women and minors and since in all States the wage orders relate largely to the principal woman-employing industries and occupations, provisions for overtime pay are of particular benefit to women workers.

Overtime rates in some orders are based on one and one-half times the employee's regular rate and in others one and one-half times the minimum or basic rate. Another type of overtime provision is the establishment of a specific hourly rate which, generally, equals one and one-half times the minimum rate; sometimes the rate established is only slightly higher than the basic minimum.

For example, time and one-half the employee's regular rate must be paid to laundry workers after 40 hours a week in New Jersey, and after 44 hours a week in Connecticut and Massachusetts. One and one-half times the basic minimum is required by the New York hotel order (effective June 1958) for hours in excess of 40 a week. An overtime rate of \$1.35 an hour is established by the Massachusetts mercantile order of June 1957 for hours over 44 a week; the basic minimum rate is 90 cents an hour up to and including 44 a week. An example of a rate slightly higher than the basic minimum is the Rhode Island laundry and dry cleaning order (effective October 1957) with a basic rate of \$1 an hour which requires the payment of \$1.05 an hour for work over 45 hours a week. The basic rate for retail trade in the District of Columbia (effective October 1957) is \$36 for a 36 to 40-hour week; \$1 an hour is required for hours worked in excess of 40 a week.

Split-shift provisions

Some State wage orders regulate the practice of split shifts by requiring that higher wages be paid for days on which the work period

has more than one shift, or covers a spread of hours that exceeds a specified number. Such wage orders usually require that an additional amount be added to the minimum wage each day that the employee works a split shift. Among the States with this type of provision are California, the District of Columbia, Kentucky, New Jersey, New York, Rhode Island, and Utah. Wage orders in Arizona and Ohio do not require additional pay for split-shift employment but do regulate the period in which such shifts must be worked.

Gratuities

In some industries or occupations the worker customarily receives tips or gratuities from patrons, which augment the wages paid by his employer. Legislatures and wage boards have accordingly given attention to the question of whether gratuities should be considered in establishing the minimum wage. Policy and practice in this matter differ in the several States. For example, in some States wage orders for hotel, restaurant, and public housekeeping occupations take into account tipping practices by classifying employees into service and nonservice groups and setting a lower rate for the service employee who receives tips. The District of Columbia, Kentucky, Massachusetts, New Hampshire, New Jersey, New York, Ohio, and Pennsylvania follow this procedure.

In other States—California, Colorado, Minnesota, Oregon, Utah, Washington, and Wisconsin—wage orders for these occupations do not set a wage differential for service and nonservice employees and expressly prohibit deduction from the minimum wage for tips and gratuities. In the Rhode Island wage order, 30 cents an hour is the maximum deduction from the minimum wage which is permitted under specified conditions.

Administrative regulations issued under statutory rates permit, under certain conditions, a deduction of a specified amount for tips and gratuities: Connecticut, 30 cents an hour in hotel and restaurant industries and 15 cents an hour in other industries where gratuities have been customarily counted as part of the wage for hiring purposes; Rhode Island, 30 cents an hour, except 10 cents an hour for taxicab drivers.

Idaho, one of the States with a statutory rate, amended the minimum-wage law to redefine wages exclusive of tips and gratuities, which were previously included.

Meals and lodging

In occupations where employees are customarily furnished meals and/or lodging, such as hotels and restaurants, wage boards have

taken into account that payments in kind must be recognized in establishing workable minimum-wage rates. Most wage orders contain detailed provisions regulating the maximum value, and in some cases the type of meals for which deduction can be made, thus avoiding the possibility of abuse.

For example, California permits deductions for meals in its public housekeeping order but specifies the maximum charges allowable for breakfast, lunch, and dinner; and defines a meal as "an adequate well-balanced serving of a variety of wholesome nutritious foods." The order further specifies that deductions may not be made for meals not eaten and shall be made only for bona fide meals consistent with the employee's work shift. The District of Columbia public housekeeping order permits a deduction for one meal for each 4 hours worked but not more than two meals a day for employees not living at place of employment; and specifies a 30-cent maximum allowable deduction for any bona fide meal furnished within these limitations.

New York orders have a somewhat different regulation in that they require a higher hourly or weekly rate when meals are not supplied. Under the 1958 hotel order the differential for nonresidential employees in all-year hotels is 6 cents an hour for one meal a day and 12 cents for two meals. The September 1957 restaurant order has a "with meal rate" and a "no meal rate" with a 10-cent differential. Any employee who works 5 hours or more in 1 day must receive two meals if the "with meal rate" is to be applied.

Lodging provisions are similar to meal provisions. For example, the Massachusetts public-housekeeping order permits a maximum weekly deduction of \$4 each for a double room "when adequate, decent and sanitary lodging, including heat and light, is furnished." The deduction is not permitted "unless the room is actually used by the employee and unless said employee desires said room."

Uniforms

Provisions regulating the furnishing and maintenance of uniforms are found in wage orders or administrative regulations of almost all States that have public-housekeeping orders (including hotel and restaurant).

The provisions prohibit charges of any kind for uniforms and their upkeep or deductions from the minimum wage for the cost of uniforms; require employer to furnish and maintain necessary uniforms, and specify the amount he may elect to pay in lieu of furnishing, laundering, and maintaining them; or establish special rules for required uniforms.

In California, for example, no employee shall be required to contribute, directly or indirectly, from the minimum wage for the pur-

chase or maintenance of required uniforms. New Hampshire is one of the States prohibiting deductions of the cost of required uniforms. The District of Columbia order provides that the employer must pay for the purchase, maintenance, and cleaning of uniforms; in lieu of furnishing and maintaining uniforms, he may elect to pay regularly an additional 3 cents an hour. A similar provision in the New York restaurant order requires an additional 4 cents an hour. In New Jersey, the employer must reimburse, in same week, a restaurant employee required to furnish more than one style, type, or color of uniform during any one year. Many of the State orders also include a detailed definition of uniforms.

Under statutory rate laws in both Hawaii and Nevada if special uniforms are required, employer must furnish and launder them without cost to the employee.

Note: For detailed analysis of rates and coverage in chart form, see part II of this bulletin, issued separately.

SUMMARY LISTS, BY JURISDICTION

Jurisdictions With Minimum-Wage Laws

The 34 jurisdictions having minimum-wage laws on their statute books are listed below. The second column indicates whether the law applies to women and minors, to all females, or to all employees including men.

<i>Jurisdiction</i>	<i>Employee coverage</i>
Alaska	Any employee
Arizona	Women and minors
Arkansas	Females
California	Women and minors
Colorado	Women and minors
Connecticut	Any individual
District of Columbia	Women and minors
Hawaii	Men, women, minors
Idaho	Any employee
Illinois	Women and minors
Kansas	Women and minors
Kentucky	Women and minors
Louisiana	Women and girls
Maine	Women and minors
Massachusetts	Any person
Minnesota	Women and minors
Nevada	Any female
New Hampshire	Any employee
New Jersey	Women and minors
New Mexico	All employees
New York	Women and minors; men
North Dakota	Women and minors
Ohio	Women and minors
Oklahoma	Adult women
Oregon	Women and minors
Pennsylvania	Women and minors
Puerto Rico	All employees
Rhode Island	All employees
South Dakota	Women and girls
Utah	Women and minors
Vermont	All employees
Washington	Women and minors
Wisconsin	Women and minors
Wyoming	All employees, except persons under 18 years.

Industries and Occupations Covered

The chart and lists which follow show the industries and occupations covered in the States and Territories with statutory rates and wage-order rates. The statutory rates and also two wage-order rates

in Kentucky and Wisconsin have general coverage which affects most industries and occupations, with some exceptions. The wage orders are shown by their title and not by the industries and occupations listed in the definition of coverage of any specific order. Only wage orders issued between July 1, 1942, and July 1, 1958, and still in effect are included. Laws and orders effective prior to July 1, 1942, which have not been revised, are listed on page 30.

INDUSTRIES AND OCCUPATIONS COVERED BY STATE MINIMUM-WAGE RATES

State or Territory ¹	General coverage: Rate set by—		Title of industry or occupation wage order issued since July 1, 1942, and in effect July 1, 1958				
	Statute	Wage order	Nonmanufacturing				
			Amuse- ment and recre- ation	Beauty, Personal service		Build- ing serv- ice	Clerical, techni- cal, office
Beauty service	Personal service						
Alaska	X						
Arizona							
Arkansas	X						
California			X		X		² X
Colorado				X			
Connecticut	X			X			
District of Columbia				X		X	X
Hawaii	X						
Idaho	X						
Kentucky		X					
Massachusetts	X		³ X		X	X	X
Minnesota			X				
Nevada	X						
New Hampshire	X			X			
New Jersey				X			
New Mexico	X						
New York			X	X		X	
North Dakota							
Ohio							
Oregon			X	X	X		X
Pennsylvania							
Puerto Rico ⁴	X						
Rhode Island ⁵	X						
South Dakota	X						
Utah							
Vermont	X						
Washington			⁶ X	X			X
Wisconsin		X					
Wyoming	X						

¹ Five States—Illinois, Kansas, Louisiana, Maine, and Oklahoma—with minimum-wage laws are not shown on chart because no wage orders are currently in effect.

² Title of order is Professional, Technical, Clerical and Similar Occupations.

³ Court case pending.

⁴ Puerto Rico wage orders not shown here; to be issued in a special addendum to Part II of this report.

⁵ Industry or occupation shown is applicable to establishments with more than 3 employees. Four other minimum-wage orders in Rhode Island, applicable to establishments with 3 or less employees, are not shown on chart: Public Housekeeping; Laundry and Dry Cleansing; Retail Trade; and Restaurant and Hotel Restaurant.

⁶ Two minimum-wage orders: General Amusement and Recreation; and Theatrical Amusement and Recreation.

INDUSTRIES AND OCCUPATIONS COVERED BY STATE MINIMUM-WAGE RATES—Con.

State or Territory	Title of industry or occupation wage order issued since July 1, 1942, and in effect July 1, 1958—Continued						
	Nonmanufacturing—Continued						
	Coun- selor staff	Laundry and dry cleaning			Public housekeeping		
Laun- dry		Dry clean- ing	Laundry and dry cleaning	Hotel	Restau- rant	Hotel and res- taurant	Public house- keeping
Alaska.....							
Arizona.....			X				
Arkansas.....							
California.....			X				X
Colorado.....	X						X
Connecticut.....	X	X					
District of Columbia.....			X			X	
Hawaii.....							
Idaho.....							
Kentucky.....						X	
Massachusetts.....	X	X					X
Minnesota.....			X				³ X
Nevada.....							
New Hampshire.....	X	X		X	X		
New Jersey.....			X		X		
New Mexico.....							
New York.....	X	X	X	X	X		
North Dakota.....			X				X
Ohio.....						⁷ X	
Oregon.....	⁸ X		X				X
Pennsylvania.....					X		
Puerto Rico ⁴							
Rhode Island ⁵			X				⁹ X
South Dakota.....							
Utah.....			X		X		X
Vermont.....	¹⁰ X					¹⁰ X	
Washington.....	X		X				X
Wisconsin.....							
Wyoming.....							

For footnotes ³, ⁴, and ⁵, see first page of table.

⁷ Title of order is Occupations Related to the Furnishing of Food and/or Lodging.

⁸ Title of order is Organized Youth Camps.

⁹ Title of order is Restaurant, Hotel Restaurant, and Public Housekeeping.

¹⁰ Titles of Vermont orders are Hotel, Motel, Tourist Place and Restaurant Industry; and Summer Camp Industry.

INDUSTRIES AND OCCUPATIONS COVERED BY STATE MINIMUM-WAGE RATES—CON.

State or Territory	Title of industry or occupation wage order issued since July 1, 1942, and in effect July 1, 1958—Continued							Minors
	Nonmanufacturing—Con.			Manufacturing				
	Retail, mercantile trade	Telephone, telegraph	Miscellaneous ¹¹	All manufacturing	Canning, etc.	Food processing	Miscellaneous ¹²	
Alaska								
Arizona	X							
Arkansas								
California	X		X	X	X		X	
Colorado	X							
Connecticut	X							
District of Columbia	X			X				
Hawaii								
Idaho								
Kentucky								
Massachusetts	X					X	X	
Minnesota	X							
Nevada								
New Hampshire	X							
New Jersey	X							
New Mexico								
New York	X						X	
North Dakota	X	X		X				
Ohio								
Oregon	X	X	X	X	X		X	X
Pennsylvania	X							
Puerto Rico ⁴								
Rhode Island ⁵	X							
South Dakota								
Utah	X							
Vermont								
Washington	X	X		X		X	X	X
Wisconsin		X	X		X			
Wyoming								

For footnotes 4 and 5, see first page of table.

¹¹ Miscellaneous nonmanufacturing includes 6 minimum-wage orders: California for Broadcasting, and Transportation; Oregon for Hospitals; Wisconsin for Agriculture, Industrialized Agriculture, and Domestic Service.

¹² Miscellaneous manufacturing includes 6 minimum-wage orders: California for Industries Handling Products after Harvest, and Motion Pictures; Massachusetts for Needle Trades; New York for Confectionery; Oregon for Preparing Poultry, etc.; Washington for Fresh Fruit and Vegetable Packing.

Nonmanufacturing

Minimum-wage rates for one or more nonmanufacturing industries have been established in the laws themselves or by minimum-wage orders and are now in effect in 29 jurisdictions. The majority of these rates are applicable to the important trade and service industries, such as hotels and restaurants, mercantile or retail trade, and laundry and dry cleaning.

Rates established by law have overall coverage, i. e., they apply in general to all nonmanufacturing industries; those established by minimum-wage orders have specific coverage for an individual industry or occupation, or for a related industry or occupation group.

The minimum-wage rates apply to nonmanufacturing by—

General coverage in:

Alaska	Massachusetts*	Rhode Island*
Arkansas	Nevada	South Dakota
Connecticut*	New Hampshire*	Vermont*
Hawaii	New Mexico	Wisconsin*
Idaho	Puerto Rico**	Wyoming
Kentucky		

*Also under *specific coverage* for one or more groups.

**Puerto Rico wage orders not shown here; to be issued in a special addendum to Part II of this report.

Specific coverage for:

Hotel, restaurant, and/or public housekeeping in 16 States and District of Columbia:

<i>Hotels</i>	<i>Hotels and restaurants—Continued</i>
New Hampshire (see Restaurants)	Ohio
New York (see Restaurants)	Vermont*
<i>Restaurants</i>	<i>Public housekeeping</i>
New Hampshire	California
New Jersey	Colorado
New York	Massachusetts
Pennsylvania	Minnesota
Utah (see Public housekeeping)	North Dakota
<i>Hotels and restaurants</i>	Oregon
District of Columbia	Rhode Island**
Kentucky	Utah
	Washington

*Title of Vermont order is Hotel, Motel, Tourist Place and Restaurant Industry.

**Listed under Public Housekeeping because title of Rhode Island order is Restaurant, Hotel Restaurant and Public Housekeeping. In addition, there are two orders applicable to establishments with 3 or fewer employees: Public Housekeeping, and Restaurant and Hotel Restaurant.

Mercantile or retail and/or wholesale trade in 15 States and District of Columbia:

Arizona	Minnesota	Oregon
California	New Hampshire	Pennsylvania
Colorado	New Jersey	Rhode Island
Connecticut	New York	Utah
District of Columbia	North Dakota	Washington
Massachusetts		

Laundry and/or dry cleaning in 14 States and District of Columbia:

Laundry

Colorado
 Connecticut (see Dry cleaning)
 Massachusetts (see Dry cleaning)
 New Hampshire (see Dry cleaning)
 New York (see Dry cleaning)

Laundry and dry cleaning

Arizona
 California
 District of Columbia
 Minnesota
 New Jersey
 North Dakota
 Oregon
 Rhode Island
 Utah
 Washington

Dry cleaning and dyeing

Connecticut
 Massachusetts
 New Hampshire
 New York

Beauty service and/or personal service in 9 States and District of Columbia:

Beauty service

Colorado
 Connecticut
 District of Columbia
 New Hampshire
 New Jersey
 New York
 Oregon (see Personal service)
 Washington

Personal service

California
 Massachusetts
 Oregon

Amusement and recreation in 6 States:

California
 Massachusetts
 Minnesota

New York
 Oregon
 Washington (2 orders)

Clerical, technical and/or professional in 4 States and District of Columbia:

Clerical and technical

District of Columbia
 Massachusetts

Office

Oregon
 Washington

*Professional, technical,
 and clerical*

California

Building service in 2 States and District of Columbia:

District of Columbia

Massachusetts

New York

Telephone and/or telegraph in 4 States:

North Dakota
 Oregon

Washington
 Wisconsin

Counselor staff in 4 States:

New York
 Oregon

Vermont
 Washington

Miscellaneous nonmanufacturing in 3 States:

Agriculture; industrialized agriculture.....	Wisconsin
Broadcasting.....	California
Domestic service.....	Wisconsin
Hospitals, sanitariums.....	Oregon
Transportation.....	California

Manufacturing

Twenty-two jurisdictions have established minimum-wage rates for all manufacturing industries and/or certain branches of manufacturing:

Alaska	Massachusetts	Puerto Rico
Arkansas	Nevada	Rhode Island
California	New Hampshire	South Dakota
Connecticut	New Mexico	Vermont
District of Columbia	New York	Washington
Hawaii	North Dakota	Wisconsin
Idaho	Oregon	Wyoming
Kentucky		

The minimum-wage rates apply to manufacturing by—

General coverage in:

Alaska	Massachusetts*	Rhode Island
Arkansas	Nevada	South Dakota
Connecticut	New Hampshire	Vermont
Hawaii	New Mexico	Wisconsin*
Idaho	Puerto Rico**	Wyoming
Kentucky		

*Also under *specific coverage* for one or more groups.

**Puerto Rico wage orders not shown here; to be issued in a special addendum to part II of this report.

Specific coverage for:

Manufacturing in 4 States and District of Columbia:

California*	Oregon*
District of Columbia	Washington*
North Dakota	

*Minimum-wage orders for some branches of manufacturing have also been issued.

Branches of manufacturing in 6 States:

Canning, freezing, preserving.....	California
Canning, dehydrating, barreling.....	Oregon
Canning or first processing fresh fruits or vegetables.....	Wisconsin
Confectionery.....	New York
Food processing.....	Massachusetts
	Washington
Fresh fruit and vegetable packing.....	Washington
Industries handling products after harvest.....	California
Motion pictures.....	California
Needle trades.....	Massachusetts
Preparing poultry, rabbits, or eggs for distribution.....	Oregon

Miscellaneous

Two States have a specific order for minors.

Oregon

Washington

Current Minimum-Wage Orders

A total of 119 orders, currently in effect, were issued in 20 jurisdictions from July 1, 1942, to July 1, 1958. The following list shows, by jurisdiction, the occupations and industries for which these orders were issued. Rates and coverage established by these orders are analyzed in part II of this bulletin, issued in loose-leaf form.

ARIZONA

- Laundry and dry cleaning
- Retail trades

CALIFORNIA

- Manufacturing
- Personal service
- Canning, freezing, preserving
- Professional, technical, clerical and similar occupations
- Public housekeeping
- Laundry, linen supply, dry cleaning, and dyeing
- Mercantile
- Industries handling farm products after harvest
- Transportation
- Amusement and recreation
- Broadcasting
- Motion picture

COLORADO

- Laundry
- Retail trade
- Public housekeeping
- Beauty service

CONNECTICUT

- Laundry
- Cleaning and dyeing
- Mercantile trade
- Beauty shop

DISTRICT OF COLUMBIA

- Beauty culture
- Manufacturing and wholesaling
- Laundry and dry cleaning
- Clerical and technical
- Hotel, restaurant and allied industries
- Building service
- Retail trade

KENTUCKY

- All industries and occupations
- Hotel and restaurant

MASSACHUSETTS

- Personal services
- Public housekeeping
- Clerical, technical and similar occupations
- Building service
- Dry cleaning
- Food processing
- Needle trade and garment occupations
- Mercantile
- Laundry
- *Amusement and recreation

MINNESOTA

- Laundry and dry cleaning
- Retail merchandising
- Amusement
- *Public housekeeping

NEW HAMPSHIRE

- Restaurant
- Hotel, cabin and tourist home
- Laundry
- Beautician
- Retail trade
- Dry cleaning

NEW JERSEY

- Beauty culture
- Restaurant
- Laundry, cleaning and dyeing
- Mercantile

NEW YORK

- Amusement and recreation
- Confectionery
- Building service
- Counselor staff
- Retail trade
- Laundry
- Cleaning and dyeing
- Restaurant
- Beauty service
- Hotel

*Court case pending.

NORTH DAKOTA

Manufacturing
 Laundry, cleaning and dyeing
 Telephone
 Public housekeeping
 Mercantile

OHIO

Food and/or lodging

OREGON

Manufacturing
 Hospitals, sanitariums, convalescent
 and old people's homes
 Mercantile
 Preparing poultry, rabbits, fish or
 eggs for distribution
 Office
 Beauty operators and manicurists
 Canning, dehydrating and barreling
 Amusement and recreation
 Personal service
 Telephone and telegraph
 Public housekeeping
 Minors
 Organized youth camps
 Laundry, cleaning and dyeing

PENNSYLVANIA

Restaurant
 Retail trade

****PUERTO RICO****RHODE ISLAND**

Mandatory orders (3 or fewer
 employees)—
 Public housekeeping
 Laundry and dry cleansing
 Retail trade
 Restaurant and hotel restaurant
 Under Ch. 3745 Public Laws 1956
 as amended (more than 3
 employees)—
 Restaurant, hotel restaurant and
 public housekeeping
 Laundry and dry cleansing
 Retail trade

UTAH

Retail trade
 Laundry, cleaning, dyeing and
 pressing
 Public housekeeping
 Restaurant

VERMONT

Summer camp industry
 Hotel, motel, tourist place and
 restaurant industry

WASHINGTON

Office workers
 Mercantile, wholesale and retail
 General amusement and recreation
 Theatrical amusement and
 recreation
 Public housekeeping
 Beauty culture
 Laundry, dry cleaning and
 dye works
 Minors
 Manufacturing and general working
 conditions
 Food processing
 Fresh fruit and vegetable packing
 Telephone and telegraph
 Counselors and leaders occupations
 in organized seasonal recreational
 camps

WISCONSIN

Any occupation, trade or industry,
 except domestic service and agri-
 culture
 Canning or first processing fresh
 fruits or vegetables (sets over-
 time rates)
 Operators in telephone exchanges
 (sets pay hours)
 Agriculture; industrialized
 agriculture
 Domestic service

**Wage orders for Puerto Rico will be issued in an addendum to part II.

Chronological List of Laws and Amendments

The following list gives, by year of enactment, the minimum-wage laws and amendments affecting rates and coverage which were adopted from July 1, 1942 to July 1, 1958. The nature of the action taken is noted briefly.

<i>Date</i>	<i>State</i>	<i>Action</i>
1943---	Arkansas-----	Hour law amended to permit overtime pay after 8 hours of work.
	South Dakota-----	Law amended to increase minimum rates.
1944---	New York-----	Law amended to extend coverage to men.
1945---	Hawaii-----	Law amended to increase minimum rates, etc.
	Nevada-----	Law amended to increase minimum rates.
	Rhode Island-----	Law amended to extend coverage to men.
1946---	Massachusetts-----	Law amended to extend coverage to men.
1948---	Massachusetts-----	Law amended to change coverage.
1949---	Massachusetts-----	Law amended to establish statutory rate retaining wage-board procedure.
	New Hampshire-----	Law amended to establish statutory rate, retaining wage-board procedure; and to extend coverage to men.
1951---	Connecticut-----	Law amended to establish statutory rate, retaining wage-board procedure, and to broaden coverage.
	Minnesota-----	Law amended to change coverage.
1952---	Massachusetts-----	Law amended to increase statutory rate, etc.
1953---	Hawaii-----	Law amended to increase rates and extend coverage to all employees; and to delete the provision authorizing the Department of Labor and Industrial Relations to provide for payment of less than the statutory minimum to children 14 years and under.
	Massachusetts-----	Law amended to delete some exempted occupations.
	Nevada-----	Law amended to increase rates, etc.
	New Hampshire-----	Law amended to increase rates and to change coverage.
	Oregon-----	Law amended to redefine women as females 18 years of age and over, formerly females over 18 years.
1954---	Massachusetts-----	Law amended to redefine occupations covered.
1955---	Alaska-----	New minimum-wage law enacted establishing a statutory rate and covering all employees.
	Hawaii-----	Law amended to increase rates and to change coverage.
	Idaho-----	Enacted a minimum-wage law.
	Massachusetts-----	Law amended to increase rates, etc.
	Nevada-----	Law amended to increase rates, etc.
	New Hampshire-----	Law amended to increase rates.
	New Mexico-----	Enacted a minimum-wage law.
	Wyoming-----	Enacted a minimum-wage law.
1956---	Massachusetts-----	Law amended to automatically raise wage-board rates, to provide that wage boards may recommend overtime rates for hours in excess of 40 a week, and to increase rates, etc.
	Puerto Rico-----	Enacted a new minimum-wage law to establish a statutory rate, with wage-board rates.

<i>Date</i>	<i>State</i>	<i>Action</i>
1956---	Rhode Island-----	Enacted a new minimum-wage law to establish a statutory rate, with wage-board rates; excludes from coverage of act employers of 3 or less employees covered by earlier minimum-wage law.
1957---	Connecticut-----	Law amended to increase rates and to change coverage.
	Hawaii-----	Law amended to increase rates and to provide for payment of overtime rates.
	Idaho-----	Law amended to redefine "wages", exclusive of tips.
	Nevada-----	Law amended to increase rates and to exempt female agricultural workers, formerly included.
	New Hampshire-----	Law amended to increase rates.
	New Mexico-----	Law amended to increase rate for service workers.
	Rhode Island-----	Law amended to increase rates and to broaden coverage.
	Vermont-----	Enacted a minimum-wage law.

Laws and Orders Not Revised Since July 1, 1942

Seven States have made no change in one or more of their minimum-wage rates since July 1, 1942. In all, only 11 orders and one statute are involved. (In addition, 13 orders in New Hampshire, Massachusetts, and Rhode Island which apply to manufacturing industries or occupations have not been revised but, for the most part, these are covered by provisions of the Federal Fair Labor Standards Act; and all three of these States now have a statutory rate which covers manufacturing.)

ARKANSAS

Wage fixed in law (1915)

KENTUCKY

Laundry, dry cleaning and dyeing (1942)

MINNESOTA

Telegraph (1939)
Needlecraft (1939)
Any occupation (1938)

NEW JERSEY

Light manufacturing (1940)
Wearing apparel and allied occupations (1942)

NORTH DAKOTA

Minors (1939)

OHIO

Laundry (1935)
Cleaning and dyeing (1935)
Beauty culture (1941)

PENNSYLVANIA

Laundry (1941)

Five States—Illinois, Kansas, Louisiana, Maine, Oklahoma—have minimum-wage laws but no wage orders in effect.

ANALYSIS OF STATE MINIMUM-WAGE LAWS

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
ALASKA: Laws of 1955, Ch. 185. ¹ (Year legislation first enacted: 1939.)	Commerce or other business or the production of goods or materials, for employers of 4 or more persons, including those employed in bona fide administrative, executive, or professional capacity, or in the capacity of outside salesmen, as defined and delineated by Regulations of the Administrators of the Federal Fair Labor Standards Act. <i>Exceptions:</i> Persons performing occasional chores only, babysitters, part-time work by paper delivery boys, errand boys and such other types of part-time employment of persons, or full-time employment of aged or disabled persons as may be first authorized by the Territorial Labor Commissioner, under work permits.	Any employee.	Labor Commissioner. Authorized to promulgate rules, regulations and orders and establish minimum-wage rates in various fields covering persons excepted from the minimum-wage provisions.	Minimum wage fixed by law.					Violation of any provision of Act a misdemeanor, subject to fine. Employer liable to aggrieved employee for the amount of wage underpayment.
ARIZONA: 8 Revised Statutes (1956, with cumulative supplement, 1957), secs. 23-311 to 23-329. (Year legislation first enacted: 1917.)	Any occupation, i. e., any class of work in any industry, trade, business, or branch thereof. <i>Exceptions:</i> Domestic service in the home of the employer; agricultural labor.	Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury may be granted license authorizing a wage less than the minimum for a fixed period.	Industrial commission. (Commission composed of 3 members appointed by the governor, with the advice of the senate, for terms of 6 years.) Has power to propose administrative regulations as it deems appropriate to complete wage board report and to safeguard minimum fair wage standards established.	Minimum wage established by wage order.	Wage sufficient to meet cost of living necessary for health and fairly and reasonably commensurate with value of service or class of service rendered. In establishing a minimum fair wage, commission or wage board (1) shall take into account all relevant circumstances affecting the value of the service or class of service rendered; (2) shall be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered; (3) shall consider wages paid in State for like or comparable work by employers voluntarily maintaining minimum fair wage standards; and (4) shall consider the minimum cost of living.	Investigation at discretion of commission, or on petition of 20 or more residents of the State engaged in any particular occupation, to ascertain whether substantial number of women or minors in that occupation are paid oppressive and unreasonable wages, i. e., less than fair and reasonable value of service rendered and less than sufficient to meet minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need on basis of information in its possession, with or without special investigation, commission shall appoint a wage board.	Commission appoints wage board of 3 representatives each of employers and employees, and 1 industrial commissioner to be designated chairman. After studying evidence and testimony of witnesses board must, within 10 days after its organization, submit a report recommending minimum fair wage standards. Within 10 days, commission must accept or reject this report. If accepted, commission issues a directory order. After 60 days, if no appeal has been taken, the order becomes mandatory.	At any time after an order has been in effect 1 year, commission may on its own motion, and shall on petition of 20 or more residents of the State engaged in any particular occupation, reconsider rates set and reconvene the same wage board or appoint a new one to recommend whether or not rates should be revised.	Noncompliance with mandatory order a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.
ARKANSAS: 7 Statutes Annotated (1947 with cumulative supplement, 1955), secs. 81-613 to 81-619. (Year legislation first enacted: 1915.)	Manufacturing, mechanical, or mercantile establishment, laundry, express or transportation company, hotel, restaurant, eating place, bank, building and loan association, insurance company, finance or credit business, or by any person, persons, partnership, or corporation whatsoever except those expressly exempted by law. <i>Exceptions:</i> Domestic, agricultural, or horticultural employees; and switchboard operators employed in a public telephone exchange which has less than 750 stations; employees of railroad companies whose hours are regulated by Federal laws.	Females.	Commissioner of labor.	Minimum wage fixed by law. ²	Wage adequate to supply necessary cost of proper living and to maintain health and welfare.	Investigation at discretion of commissioner to determine necessity of raising or lowering the minimum wage set by law.	Minimum wage set by law but commissioner has power to raise or lower such wage in any occupation, trade, or industry after investigating and holding public hearings. Commissioner has power, after public hearing, to establish regulations for hotels and restaurants provided the wage rate is not lower than will supply the cost of proper living and safeguard health and welfare, and provided also that it shall not exceed the rate established by law.		Noncompliance punishable by fine.
CALIFORNIA: Labor Code (1955, with cumulative supplement, 1957), secs. 1171 to 1204. (Year legislation first enacted: 1913.)	Any occupation, trade, or industry.	Women; minors (girls under 21, boys under 18 years of age). <i>Special licenses:</i> Any woman physically defective by age or otherwise may be granted license fixing a lower wage. License must be renewed every 6 months. Apprentice or learner: Special wage for fixed period.	Industrial welfare commission through division of industrial relations. (Industrial welfare commission composed of 5 persons, at least one of whom shall be a woman, appointed by the Governor for terms of 4 years.)	Minimum wage established by wage order.	Wage adequate to supply necessary cost of proper living and to maintain health and welfare.	Investigation at discretion of commission to ascertain whether wages paid are inadequate to supply the cost of proper living. Investigation conducted by examining books, papers, payrolls, records, and witnesses. If convinced of need after investigation, commission shall call a wage board.	Commission calls wage board composed of an equal number of representatives of employers and employees in an industry, with a representative of the commission as chairman. After studying the evidence, the board recommends minimum-wage standards to the commission, which, after a public hearing, fixes minimum wages and standards for the industry and issues a mandatory order.	At any time after a mandatory order has been issued, commission may on its own motion, or upon petition of employers or employees, reconsider such order. Commission shall proceed in the same manner as prescribed for an original order.	Noncompliance a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages and costs.

¹ Repeals Alaska Compiled Laws, annotated, 1949, sections 43-2-31 to 43-2-37.

² Commissioner given authority to raise or lower wage set by law under certain conditions. Refer to columns on procedures.

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
COLORADO: 4 Revised Code 1953 (with cumulative supplement, 1957), secs. 80-9-1 to 80-9-20. (Year legislation first enacted: 1913.)	Any occupation i. e., any and every vocation, trade, pursuit or industry.	Women; minors (persons of either sex under 18 years of age). <i>Special licenses:</i> In an occupation in which only time rates are established, a woman physically defective or crippled by age or otherwise or less efficient than a woman worker of ordinary ability may be granted license authorizing a wage less than the minimum. Number so licensed must not exceed 1/10 of the total number of workers in an establishment.	Industrial commission. (Commission composed of 3 members appointed by the Governor, with the consent of the senate, for terms of 6 years. Not more than 1 member may represent employees, nor more than 1, employers.)	Minimum wage established by wage order.	Wage sufficient for living wage. Wage fair and reasonable and consistent with maintenance of health and morals, i. e., a wage sufficient to meet minimum standards of living sufficient for the maintenance of women and minors in health and morals and to provide a reasonable surplus for support during periods of sickness or other emergencies.	Investigation at request of not less than 25 persons engaged in occupation, or at discretion of commission if there is reason to believe that substantial number of employees are paid wages inadequate to supply necessary cost of living and maintain health. Investigation conducted by examining books, payrolls, papers, other records, and witnesses and by public hearings at which employers, employees, or other interested persons may testify. If convinced of need commission either fixes minimum-wage rates or appoints a wage board.	Commission sets minimum wage for occupation and issues mandatory order; or, commission establishes a wage board composed of not more than 3 representatives of employers, an equal number of employees and of the public, and, if it so desires, a representative of the commission. The representatives of the employers and the employees to be elected by their respective groups, so far as practicable, subject to approval by the commission; and at least 1 member of every group to be a woman. Wage board investigates occupation and reports to commission a minimum wage, which commission may accept or reject. After acceptance and a public hearing, commission issues mandatory order.	Whenever a minimum-wage rate has been established in any occupation, commission may, if it deems proper or necessary so to do, upon petition of either employers or employees, reconvene the same wage board, or establish a new one, and any recommendation made by such board shall be dealt with in the same manner as the original recommendation of a wage board.	Noncompliance a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages and costs.
CONNECTICUT: 2 General Statutes (1949), secs. 3786 to 3796, as amended 1951 Supp. secs. 829b to 839b as amended by Public Act 435, Laws of 1957. (Year legislation first enacted: 1933.)	Any industry or occupation. <i>Exceptions:</i> Agriculture; camps or resorts open no more than 6 months of the year; domestic service in or about a private home; bonafide executive, administrative, or professional employees; activities of an educational, charitable, religious, scientific, historical, or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered are on a voluntary basis; public employment; any individual subject to the provisions of the Federal Fair Labor Standards Act.	Any individual. <i>Special licenses:</i> Any person, whose earning capacity is impaired by age or physical or mental deficiency or injury, may be granted license authorizing a wage less than the minimum for a fixed period.	Labor commissioner. Has authority to make administrative regulations appropriate to carry out purpose of the law, to be issued only after consultation with an advisory board and after publication and public hearing. Advisory board is tripartite in nature and composed as is a wage board. Has authority to make such administrative regulations as he deems appropriate in connection with recommendations of wage board.	Minimum wage fixed by law, with provision for issuance of occupational wage orders through wage boards.	Wage fairly and reasonably commensurate with the value of a particular service or class of service rendered. In establishing minimum fair wage commissioner and wage board (1) may take into account all relevant circumstances affecting the value of the services rendered, including hours and conditions of employment affecting the health, safety, and general well-being of the workers; (2) may be guided by such considerations as would guide a court in a suit for the reasonable value of services rendered; and (3) may consider the wages, including overtime or premium rates, paid in the State for work of like or comparable character by employers voluntarily maintaining minimum fair wage standards.	Investigation at discretion of commissioner, or on petition of 50 or more residents of the State, to ascertain whether substantial number of persons in an occupation are receiving less than a fair wage. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need commissioner shall appoint a wage board to report on the establishment of minimum fair wage rates of not less than the rate fixed by the minimum-wage law.	Commissioner appoints wage board composed of an equal number of representatives, but not more than 3, of employers and employees, and not more than 3 of the public, 1 of the public group to be designated chairman. After studying evidence and testimony of witnesses, board must, within 60 days of its organization, submit a report, recommending minimum fair wage standards. Commissioner, within 15 days must accept or reject this report. If accepted, report must be published, and a public hearing held. After final approval of wage-board report, commissioner issues an order defining minimum fair wage rates in the occupation, including such administrative regulations as he deems appropriate.	At any time after an order has been in effect for 6 months or more, commissioner may, on his own motion, and shall, on petition of 50 or more residents of the State, reconsider rates set therein and reconvene the same wage board or appoint a new one to recommend whether or not the rates should be modified. The procedures shall be the same as prescribed initially. Administrative regulations may be revised by commissioner, after notice and public hearing, without reference to a wage board provided such revision could legally have been included in original order.	Noncompliance punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.
DISTRICT OF COLUMBIA: 2 Code (1951, with cumulative supplement, 1957), secs. 36-401 to 36-422. (Year legislation first enacted: 1918.)	Any occupation, i. e., any business, industry, trade, or branch thereof. <i>Exception:</i> Domestic service.	Women; minors (persons of either sex under 18 years of age). <i>Special licenses:</i> In an occupation in which only time rates are established, a woman whose earning capacity has been impaired by age or otherwise may be granted license authorizing a wage less than the minimum. Learner or apprentice for fixed period. Men, women, minors.	Minimum wage and industrial safety board. (Board composed of 3 members appointed by the District commissioners for terms of 3 years, 1 member each to represent employers, employees, and the public.)	Minimum wage established by wage order.	Wage adequate to supply necessary cost of living to women and to maintain them in health and protect their morals. Wage not unreasonably low for minors.	Investigation at discretion of board to ascertain whether substantial number of women in an occupation are paid wages inadequate to supply the necessary cost of living and maintain health and morals. Investigation conducted by examining books, registers, payrolls, other records of employers, and witnesses, and by public hearings at which any interested person may testify. If convinced of need, after investigation, board may convene a conference.	Board appoints wage conference composed of an equal number of representatives, but not more than 3, of employers, and employees, not more than 3 of the public, and 1 or more members of the board. After investigation conference submits a report, recommending minimum-wage standards, which board may approve or disapprove. If approved, report must be published and public hearing held. After final approval of conference report, board issues mandatory order.		Noncompliance a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages and attorney's fees.
HAWAII: 1 Revised Laws, 1955, secs. 94-1 to 94-16, as amended by Laws of 1957, Act 256. (Year legislation first enacted: 1941.)	Any trade, business, industry or branch thereof, or group of industries. <i>Exceptions:</i> Employees guaranteed monthly salary of \$350; agriculture for any work-week in which employer employs less than 20 persons; domestic employment in or about a private home; employment by brother, sister, brother-in-law, sister-in-law, son, daughter, spouse, parent, or parent-in-law; bona fide executive, administrative, supervisory, or professional work; outside salesmen or collectors; propagating, catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of	<i>Special licenses:</i> Director may provide by special certificate for employment of learners, apprentices, or persons whose earning capacity is impaired by age or physical or mental deficiency or injury, at a wage less than minimum for a fixed period.	Commission of labor and industrial relations through the director of labor and industrial relations. Commission given power to make, issue, amend, and rescind rules and regulations as are necessary to carry out the provisions of the act.	Minimum wage fixed by law.	Wages adequate to health, efficiency and general well-being.				Noncompliance subject to fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees; and, in cases of willful violation, an additional equal amount as liquidated damages.

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
HAWAII—Continued	animal or vegetable life, including the going to and returning from work and the loading and unloading of such products prior to first processing; seamen; driver of a vehicle carrying passengers for hire operated solely on call from a fixed stand; golf caddies; employees of nonprofit school during time such individual is a student attending such school; employees affected by the Federal Fair Labor Standards Act; employees of the Territory or any political subdivision thereof, or of the United States.								
IDAHO: 8 Code (1947 with cumulative supplement 1957), secs. 44-1501 to 44-1510. (Year legislation first enacted: 1955.)	Any employment. <i>Exceptions:</i> Bona fide executive administrative or professional employees, agricultural labor (as defined in sec. 72-1304 Idaho Code), domestic work, outside salesmen, or employment by the United States or any State or political subdivision of a State or any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization.	Any employee..... <i>Special licenses:</i> For any employment in which minimum wage is applicable, Commissioner may issue a special license for employment at a lesser wage to any person physically defective by age or otherwise, for a period not to exceed one year and renewable from time to time; an apprentice or learner for the time and under conditions as determined.	Commissioner of labor.....	Minimum wage fixed in law.					Noncompliance a misdemeanor, punishable by fine. Employee may recover back wages and an additional amount equal to such wages as liquidated damages, costs, and attorney's fees.
ILLINOIS: Statutes Annotated (Smith-Hurd, 1950, with cumulative supplement 1957), ch. 48, secs. 198.1 to 198.7. (Year legislation first enacted: 1933.)	Any occupation, i. e., any industry, trade, or business, or branch thereof or class of work therein. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm.	Women; minors (females under 18 and males under 21 years of age). <i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury may be granted license authorizing a wage less than the minimum for a fixed period.	Department of labor..... Has authority to make such administrative regulations as it deems appropriate to implement or supplement and safeguard minimum fair wage standards established by wage boards.	Minimum wage established by wage order.	Wage fairly and reasonably commensurate with value of service or class of service rendered. In establishing fair wage, department and wage board (1) may take into account all relevant circumstances affecting the value of service or class of service rendered; (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered; and (3) may consider wage paid in the State for work of like or comparable character by employers voluntarily maintaining minimum fair wage standards.	Investigation at discretion of department, or on petition of 50 or more residents of any county, to ascertain whether substantial number of women or minors, in an occupation are paid oppressive and unreasonable wages, i. e., less than fair and reasonable value of services rendered and less than sufficient to meet minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need on basis of information in its possession, with or without an investigation, the department through its director shall appoint a wage board.	Director appoints wage board composed of an equal number of representatives, but not more than 2, of employers and employees, and 1 representative of the public to be designated chairman. After studying evidence and testimony of witnesses, board must, within 60 days of its organization, submit a report recommending minimum fair wage standards. Within 10 days, department must accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, department issues a directory order. After 9 months, and following a public hearing, department may make this order mandatory.	At any time after an order has been in effect 1 year or more, department may on its own motion, and shall, on the petition of 50 or more residents of any county, reconsider rates set therein and reconvene the same wage board or appoint a new one to recommend whether rates should be modified. The procedure followed shall be the same as prescribed initially. Department may at any time and from time to time, after notice and public hearing, make modifications or additions to any administrative regulations without reference to a wage board if such modifications or additions could legally have been included in original order.	Publication of names of employers not complying with directory order. Noncompliance with mandatory order a misdemeanor punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.
KANSAS: General Statutes Annotated (1949) and 1955 Supplement, secs. 44-639 to 44-650, 75-3402. (Year legislation first enacted: 1915.)	Any industry or occupation.....	Women; minors (females under 18 and males under 21). ³	Labor commissioner.....	Minimum wage established by wage order.	Wages reasonable and not detrimental to health and welfare.	Investigation at discretion of commissioner to ascertain whether substantial number of women and minors in an occupation are paid wages inadequate to supply the necessary cost of living and maintain health. If convinced of need, after investigation, commissioner shall publish notice at public hearing at which all persons will be given a hearing.	After notice and hearing, commissioner may issue mandatory order.	Whenever wages have been made mandatory in an occupation, upon petition of either employers or employees, commissioner may at his discretion reopen the question.	Noncompliance a misdemeanor, punishable by fine. Employee may recover back wages, costs, and attorney's fees.
KENTUCKY: Revised Statutes (1956), secs. 337.010, 337.210 to 337.360, 337.990. (Year legislation first enacted: 1938.)	Any occupation, i. e., any industry, trade, or business, or branch thereof or class of work therein. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm; person, firm, or corporation subject to regulation by the State public service commission.	Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical deficiency or injury, may be granted license authorizing a wage less than the minimum for a fixed period.	Commissioner of industrial relations.	Minimum wage established by wage order.	Wage fairly and reasonably commensurate with value of service or class of service rendered. In determining minimum fair wage, commissioner and wage board shall consider the cost of living and all other relevant circumstances affecting the value of the service rendered, and wages paid in State for like or comparable work by employers voluntarily maintaining minimum fair wage standards.	Investigation by commissioner on petition of 50 or more residents of the State, to ascertain whether substantial number of women or minors in an occupation are paid oppressive and unreasonable wages, i. e., less than fair and reasonable value of services rendered, and less than sufficient to meet the minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, other records of employers, and witnesses. If convinced of need on basis of information in his possession, with or without investigation, commissioner shall request the Governor to appoint a wage board.	Governor, at request of commissioner, appoints wage board composed of 9 members, 3 representatives each of employers, employees, and the public, 1 of the public group to be designated chairman. After studying evidence and testimony of witnesses board must, within 60 days of its organization, submit a report recommending minimum fair wage standards. Within 10 days, commissioner must accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, commissioner issues a directory order. After 3 months, and following a public hearing, commissioner may make the order mandatory.	At any time the commissioner may, on his own motion, or on petition of 50 or more residents, reconsider rates and reconvene the same wage board or have a new one appointed to recommend whether or not rates should be modified. The procedure followed shall be the same as prescribed initially. Commissioner may at any time, after notice and public hearing, but without reference to a wage board, make modifications or additions to any administrative regulations, if they could legally have been included in the original order.	Publication of names of employers not complying with either directory or mandatory order. Noncompliance with mandatory order a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.

³ Decision of State attorney general Aug. 13, 1938.

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
<p>LOUISIANA: 16 Revised Statutes (West's Statutes Annotated, 1950, with cumulative supplement, 1957), secs. 23:351 to 23:357, 23:291. (Year legislation first enacted: 1938.)</p>	Any occupation or industry. <i>Exceptions:</i> Labor on a farm; domestic service; municipalities having population of 10,000 or less; females employed in an executive capacity, as defined.	Women and girls. <i>Special licenses:</i> Any woman or girl physically defective or crippled by age or otherwise, or any apprentice, may be granted license authorizing a wage less than minimum. Apprentice license is issued for a fixed period.	Commissioner of labor. Has authority to make such administrative regulations as he deems necessary or appropriate to safeguard the minimum usage (sic) standards and to carry out the act.	Minimum wage established by wage order.	Wage adequate to supply necessary cost of living and maintain health.	Investigation at discretion of commissioner to ascertain whether wages paid to female employees in an occupation are inadequate to supply the necessary cost of living and maintain health. Investigation conducted by calling for statements and examining books, payrolls, other records of employers, and witnesses; and by holding public hearings at which employers, employees, and other interested persons may testify. If convinced of need, after investigation, commissioner is empowered to call a conference.	Commissioner calls conference composed of an equal number of representatives of employers and employees in the occupation or industry involved and 1 or more representatives of the public, 1 of the public group to be designated chairman, but public representatives must not exceed the number in either of the other groups. After studying evidence and testimony of witnesses, conference, on request of commissioner, must within 60 days of its organization submit a report recommending minimum-wage standards. Commissioner may accept or reject any or all of the recommendations. If accepted, public hearing must be held. After final approval of conference report, commissioner issues a mandatory order.	When commissioner specifies a minimum wage hereunder, it shall not be changed for 1 year. Whenever wages have been made mandatory in an occupation, upon petition of either employers or employees, commissioner may at his discretion reopen the question and reconvene the former conference or call a new one. The procedures followed shall be the same as prescribed initially.	Noncompliance a misdemeanor, punishable by fine. Employee may recover back wages, costs, and attorney's fees.
<p>MAINE: 1 Revised Statutes (1954, with cumulative supplement, 1957), ch. 30, secs. 133 to 147. (Year legislation first enacted: 1939.)</p>	Packing fish or fish products in oil, mustard, or tomato sauce.	Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> Rates below those for experienced workers may be set for learners and apprentices.	Commissioner of labor and industry.	Minimum wage established by wage order.	Wage fairly and reasonably commensurate with value of service or class of service rendered. In establishing a minimum fair wage, commissioner and wage board shall (1) take into account all relevant circumstances affecting the value of the service or class of service rendered in the seasonal industry, business, occupation, and employment; (2) be guided by like consideration as would guide a court in a suit for the reasonable value of services; and (3) consider the wage paid in the State for work of like or comparable character by employers voluntarily maintaining minimum fair wage standards.	Investigation at discretion of commissioner or on petition of 50 or more residents of State to ascertain whether a substantial number of women or minors in the industry are paid less than a fair wage or oppressive and unreasonable wages, i. e., less than fair and reasonable value of services rendered and less than sufficient to meet minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need, after investigation, commissioner shall appoint a wage board.	Wage board shall be composed of an equal number of representatives but not more than 3 each of employers and employees to be appointed by commissioner; and not more than 3 representatives of the public (1 to be chairman) to be appointed, at request of the commissioner, by the chief justice of the State supreme judicial court. Within 60 days board must hold public hearing and submit report of its findings as to the conditions in the industry and as to minimum fair wage standards. Report and determinations of wage board must be filed with commissioner, who, within 10 days, shall send certified copy to each employer. Within 5 days commissioner must file report, findings, and determinations of wage board as a public record after which the minimum-wage rate becomes effective.	Publication of names of employers not complying with order. If employer has failed for a period of 2 months to pay minimum fair wage rates, commissioner may institute court action to enforce. Penalty: Fine, imprisonment, or both. Employee may recover back wages, costs, and attorney's fees.	
<p>MASSACHUSETTS: 4B Annotated Laws (1956, with cumulative supplement, 1957), ch. 151, secs. 1 to 22, as amended by Laws of 1958, ch. 27. (Year legislation first enacted: 1912.)</p>	Any occupation, i. e., any industry, trade, or business, or branch thereof or class of work therein whether operated for profit or otherwise. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm; the growing and harvesting of agricultural, floricultural, and horticultural commodities; work by persons being rehabilitated or trained under rehabilitation or training programs in charitable, educational, or religious institutions; or work by members of religious orders; outside salesmen.	Any person. <i>Special certificates:</i> Employer of any learner, or any employee under an approved apprentice training program, or an employee whose earning capacity is impaired by age or physical or mental deficiency or injury may be issued a special certificate authorizing employment at a wage less than the minimum and for a period of time, both to be fixed by the commission.	Minimum-wage commission established in the department of labor and industries under control of commissioner of labor and industries. (Commission composed of associate commissioners of labor and industries.) Commission has authority to amend, rescind, and add to the administrative regulations recommended by a wage board.	Minimum wage fixed by law, with provisions for issuance of occupational wage orders through wage boards.	Wage fairly and reasonably commensurate with value of service or class of service rendered. In establishing a minimum fair wage for any service or class of service, commissioner and the wage board (1) may take into account the cost of living and all other relevant circumstances affecting the value of the service or class of service rendered; (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered; and (3) may consider the wages paid in the Commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards.	Investigation at discretion of commissioner, or on petition of 50 or more residents of the Commonwealth, to ascertain whether substantial number of persons in an occupation are paid oppressive and unreasonable wages, i. e., less than fair and reasonable value of services rendered and less than sufficient to meet minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, and other records of employers. Questioning employees during working hours permitted. If convinced of need, on basis of information in his possession, with or without investigation, commissioner shall direct commission to appoint a wage board.	Commission appoints a wage board composed of equal number of representatives, but not more than 3, of employers and employees, and not more than 3 representatives of the public, 1 of the public group to be designated as chairman. After studying evidence and testimony of witnesses, board must, within 90 days of its organization, submit a report recommending minimum fair wage standards, which may include overtime rates for hours worked over 40 a week. Within 10 days, commission must accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, commissioner issues a mandatory order.	At any time after an order has been in effect 1 year or more, commissioner may on his own motion, and shall on petition of 50 or more citizens of the Commonwealth, reconsider rates established and direct commission to reconvene the same wage board or call a new one to consider modification. The procedures followed shall be the same as prescribed initially. At any time and from time to time, after notice and public hearing, commission may, without reference to a wage board, make such modifications or additions to administrative regulations as it deems appropriate to effectuate the purposes of the act, provided such modifications or additions could legally have been included in the original order. Commissioner is required to see that every wage order is periodically reviewed by a wage board at least once in every 2 years.	Publication of names of employers not complying with mandatory order punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.
<p>MINNESOTA: 13 Statutes Annotated (1945 with cumulative supplement, 1957), secs. 177.01 to 177.19. (Year legislation first enacted: 1913.)</p>	Any occupation, i. e., any business, industry, trade, or branch of trade, or vocation. <i>Exceptions:</i> Domestic service in a private home; agriculture.	Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> In an occupation in which only time rates are established, a woman physically defective may be granted license authorizing a wage less than the minimum. Number so licensed must not exceed 1/10 of the total number of workers in an establishment.	Industrial commission. (Commission composed of 3 members appointed by governor, by and with the advice and consent of the senate, for terms of 6 years.)	Minimum wage established by wage order.	Wage sufficient to maintain health and supply necessary comforts and conditions of reasonable life. In determining minimum wages, which are required to be on an hourly basis, commission shall consider prevailing number of hours of work in various industries.	Investigation at discretion of commission, or on request of at least 100 persons engaged in occupation, to ascertain whether women or minors are paid less than living wage. Investigation conducted by examining papers, books, witnesses, or by holding public hearings at which employers, employees, or other interested persons may testify. If convinced of need, after investigation, commission appoints an advisory board to make recommendations concerning minimum wages.	Advisory board is composed of not less than 3 or more than 10 representatives of employers, an equal number of representatives of employees, and 1 or more of the public, the representatives of the public not to exceed the number in either of the other groups. At least 1/3 of the members of the board must be women and the public group must include at least 1 woman. Recommendations of advisory board are advisory only and not binding upon the commission. After obtaining recommendations of	All wage rates ordered by the commission shall remain in force until new rates are determined. At the request of approximately 1/10 of the employers or employees in an occupation, commission must reconsider rates and may order new rates. Reconsideration of rates and a new order may be made on commission's own initiative.	Noncompliance a misdemeanor, punishable by fine or imprisonment. Employee may recover back wages, costs, and attorney's fees.

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
MINNESOTA—Con.		Any woman or minor earner, apprentice or handicapped person unable to earn the established minimum, shall be granted a license to work for a wage commensurate with his or her ability.					advisory board and giving notice to interested persons to permit participation at public hearing, commission sets a minimum wage and issues a mandatory order.		
NEVADA: 5 Revised Statutes (1957), secs. 609.01 to 609.180. (Year legislation first enacted: 1937.)	Private employment. <i>Exceptions:</i> Agricultural labor; domestic service; State, county, city, or town employees.	Any female	Labor commissioner	Minimum wage fixed by law.	Wage sufficient to maintain health and welfare.				Noncompliance a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages.
NEW HAMPSHIRE: ⁴ (a) 3 Revised Statutes Annotated 1955 (with cumulative supplement, 1957), secs. 279.1 to 279.20; 279.27 to 279.30.	Any occupation, i. e., any industry, trade, or business, or branch thereof or class of work therein. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm.	Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury may be granted license authorizing a wage less than the minimum for a fixed period.	Labor commissioner. Has authority to make administrative regulations as he deems appropriate to implement and safeguard minimum fair wage standards established by wage board.	Minimum wage established by wage order.	Wage fairly and reasonably commensurate with value of service or class of service rendered. In establishing a minimum fair wage for any service or class of service, commissioner and wage board (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered; (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services; and (3) may consider the wages paid in the State for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards.	Investigation at discretion of commissioner, or on petition of 50 or more residents of the State, to ascertain whether substantial number of women or minors in an occupation are paid oppressive and unreasonable wages, i. e., less than fair and reasonable value for service rendered and less than sufficient to meet the minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need on basis of information in his possession, with or without investigation, commissioner shall appoint a wage board.	Commissioner appoints wage board composed of an equal number of representatives, but not more than 3, of employers, and employees, and not more than 3 representatives of the public, 1 of the public group to be designated chairman. After studying evidence and testimony of witnesses board must, within 60 days of its organization, submit a report recommending minimum fair wage standards. Within 10 days commissioner must accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, commissioner issues a directory order. After 5 months and following a public hearing, commissioner may make the order mandatory.	At any time after an order has been in effect for 1 year or more, commissioner may on his own motion, and shall on petition of 50 or more residents, reconsider rates set therein and reconvene the same wage board, or appoint a new one, to recommend whether or not rates should be modified. The procedures followed to be as prescribed for setting rates initially. At any time and from time to time, after notice and public hearing, commissioner may make such modifications or additions to administrative regulations as he deems appropriate, without reference to a wage board, provided such modifications or additions could legally have been included in the original order.	Publication of names of employers not complying with directory order. Noncompliance with mandatory order punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.
(b) 3 Revised Statutes Annotated 1955 (with cumulative Supplement, 1957), secs. 279.21 to 279.26. (Year legislation first enacted: 1933.)	Any occupation, i. e., any industry, trade, or business, or branch thereof or class of work therein. <i>Exceptions:</i> Household labor; domestic labor; farm labor; outside salesmen; summer camps for minors; restaurants, hotels, inns, and cabins; newsboys and golf caddies; non-profit hospitals and homes for the aged, except laundry employees, nurse aides and practical nurses; and employees subject to provisions of the FLSA of 1938 as amended.	Any employee <i>Special authorization:</i> Any person with less than 6 months experience in an occupation or whose earning capacity is impaired by age or physical or mental deficiency or injury, and those 19 years of age and under or 65 years and over may be paid less than the wage fixed by law (but not less than 75 cents per hour) upon application to and authorization from the commissioner.	Labor commissioner. Has authority to readjust minimum wage for women and minors as necessary in view of statutory rates herein established.	Minimum wage fixed by law, subject to modification by wage board action.				Commissioner may on his own motion, and shall on petition of 50 or more residents, reconsider rates established in the statute and appoint a wage board to consider a proposed modification for any occupation.	Employee may recover unpaid wages and an additional equal amount as liquidated damages.
NEW JERSEY: 34 Statutes Annotated (1937, with cumulative supplement, 1957), secs. 34-11-36 to 34-11-66. (Year legislation first enacted: 1933.)	Occupation, i. e., any industry, trade, or business, or branch thereof or class of work therein. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm; hotels.	Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury may be granted license authorizing a wage less than the minimum for a fixed period.	Commissioner of labor or the director of the minimum-wage division which shall be set up in the department of labor. Commissioner has authority to make such administrative regulations as he deems appropriate to implement and safeguard wage standards established by wage board.	Minimum wage established by wage order.	Wage fairly and reasonably commensurate with value of service or class of service rendered. In establishing a minimum fair wage, commissioner and wage board (1) may consider all relevant circumstances affecting the value of the service or class of service rendered; (2) may consider the wages paid in the State for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards; and (3) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered.	Investigation at discretion of commissioner or on petition of 50 or more residents of the State, to ascertain whether substantial number of women or minors in an occupation are paid oppressive and unreasonable wages, i. e., less than fair and reasonable value of services rendered and less than sufficient to meet the minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need on basis of information acquired by special investigation or otherwise, commissioner shall appoint a wage board.	Commissioner appoints wage board composed of an equal number of representatives, but not more than 3, of employers and employees, and not more than 3 representatives of the public, 1 of the public group to be designated chairman. After studying evidence and testimony of witnesses board must, within 60 days of its organization, submit a report recommending minimum fair wage standards. Within 10 days, commissioner must accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, commissioner issues a mandatory order.	At any time after an order has been in effect 1 year or more, commissioner may on his own motion, after conferring with the director, and shall on petition of 50 or more residents, reconsider rates established and reconvene the same wage board, or appoint a new one to recommend whether or not rates shall be modified. The procedures followed to be as prescribed for setting rates initially. Commissioner may, at any time and from time to time, after conference with director, and after notice and public hearing, make such modifications or additions to administrative regulations as he deems appropriate, without reference to a wage board, provided such modifications or additions could legally have been included in the original order.	Noncompliance a misdemeanor, punishable by fine or imprisonment or both. Employees may recover back wages, costs, and attorney's fees.

⁴ In 1949 New Hampshire amended its law by adding new sections to provide a statutory rate applicable to all employees. Since the earlier provisions remain applicable only to women and minors, this analysis is arranged in two parts (a) provisions relating to women and minors; (b) provisions relating to all employees.

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
<p>NEW MEXICO: 9 Statutes, 1953 (with cumulative supplement, 1957), secs. 59-3-20 to 59-3-27. (Year legislation first enacted: 1955.)</p>	<p>Any employment by employers of 4 or more persons. <i>Exceptions:</i> Employment in agriculture; domestic service in or about a private home; a bona fide executive, administrative, or professional capacity; and as foremen, superintendents, and supervisors; by the United States, or by the State or any political subdivision thereof; in the activities of an educational, charitable, religious, or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organizations are on a voluntary basis; and salesmen or employees compensated on piecework, flat-rate schedules or commission basis; students regularly enrolled in primary and secondary schools, working after school hours or on vacation; apprentices and learners otherwise provided by law; inexperienced workers who have worked less than 3 months for any one employer; persons employed by hospitals, mortuaries, and ambulance services; G. I. bill trainees while under training.</p>	<p>All employees</p>		<p>Minimum wage fixed by law.</p>	<p>A wage for all workers at levels consistent with their health, efficiency, and general well-being.</p>				<p>Noncompliance a misdemeanor, punishable by fine, imprisonment, or both. Employee may recover back wages, and additional equal amount in liquidated damages, costs, and attorney's fees.</p>
<p>NEW YORK: 30 Consolidated Laws Annotated (McKinney Labor Law, 1948, with cumulative supplement, 1957) secs. 650 to 666. (Year legislation first enacted: 1933.)</p>	<p>Any occupation, i. e., any industry, trade, business, or class of work. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm.</p>	<p>Women; minors (persons of either sex under 21 years of age); men.¹</p> <p><i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury, may be granted license authorizing a wage less than the minimum for a fixed period.</p>	<p>Industrial commissioner..... Has the authority to modify and amend regulations recommended by wage board.</p>	<p>Minimum wage established by wage order.</p>	<p>Wages sufficient to provide adequate maintenance and to protect health. In establishing minimum wage, commissioner and wage board (1) may take into account the amount sufficient to provide adequate maintenance and to protect health; (2) may take into account the value of the service or class of service rendered; and (3) may consider wages paid in the State for like or comparable work.</p>	<p>Investigation at discretion of commissioner, or on petition of 50 or more residents of the State engaged in or affected by an occupation, to ascertain whether substantial number of women or minors in the occupation are paid wages insufficient to provide adequate maintenance and to protect health. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need on basis of information in his possession, with or without investigation, commissioner shall appoint a wage board.</p>	<p>Commissioner appoints wage board composed of an equal number of representatives, but not more than 3, of employers and employees, and not more than 3 representatives of the public, 1 of the public group to be designated chairman. (A wage board continues in existence for a period of 2 years following its formation, unless sooner dissolved by the commissioner.) After studying evidence and testimony of witnesses, and conducting public hearings, board must, within 90 days of its organization (commissioner in his discretion may extend to 180 days), submit a report recommending minimum-wage standards. Commissioner holds public hearings on wage board's report and recommendations. Within 30 days after such hearings, commissioner must accept or reject, either in whole or in part. If accepted, commissioner issues a mandatory order.</p>	<p>At any time after an order has been in effect 6 months or more, commissioner may, on his own motion or on petition of 50 or more residents engaged in or affected by the occupation, reconsider rates set therein and reconvene the same wage board or appoint a new one to recommend whether or not rates should be modified. The procedures followed shall be the same as prescribed for an original order. After notice and public hearing, commissioner may from time to time make such modifications or additions to regulations included in a minimum-wage order as he deems appropriate, without reference to a wage board, if such modifications or additions could legally have been included in original order.</p>	<p>Publication of names of employers not complying with any minimum-wage order. Noncompliance with minimum-wage order a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.</p>
<p>NORTH DAKOTA: 4 Revised Code (1943), secs. 34-0601 to 34-0620. (Year legislation first enacted: 1919.)</p>	<p>Any occupation, i. e., any business, industry, trade, or branch thereof. <i>Exceptions:</i> Agriculture; domestic service.</p>	<p>Women; minors (persons of either sex under 18 years of age).</p> <p><i>Special licenses:</i> Any female physically defective by age or otherwise, or any apprentice or learner, may be granted license authorizing a wage less than the minimum.</p>	<p>Commissioner of agriculture and labor.</p>	<p>Minimum wage established by wage order.</p>	<p>Wage adequate to supply necessary cost of living to women workers and to maintain them in good health. Wage not unreasonably low for minors.</p>	<p>Investigation at discretion of commissioner to ascertain whether substantial number of women in an occupation are paid wages inadequate to supply necessary cost of living and maintain health. Investigation conducted by examining books, payrolls, other records, and witnesses, and by holding public hearings at which any interested persons may testify. If convinced of need, after investigation, commissioner may convene a conference.</p>	<p>Commissioner appoints conference composed of an equal number of representatives, but not more than 3, of employers and employees, and not more than 3 representatives of the public, and the commissioner. After studying evidence and testimony of witnesses, conference submits a report recommending minimum-wage standards. Commissioner must accept or reject this report. If accepted, notice must be published and public hearing held. After final approval, commissioner issues a mandatory order. Minimum-wage standards for minors are determined by commissioner after inquiry, notice, and public hearing, but without reference to a wage board.</p>		<p>Noncompliance a misdemeanor, punishable by fine or imprisonment, or both. Employee may recover back wages and attorney's fees.</p>

¹ Supplementary protection, coverage of men, was added to the law in 1944. Wage orders are issued for women and minors and by application of law apply also to men.

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
<p>OHIO: Page's Revised Code Annotated (1953, with cumulative supplement 1957), title 41, secs. 4111.01 to 4111.99. (Year legislation first enacted: 1933.)</p>	<p>Any occupation, i.e., any industry, trade, or business, or branch thereof or class of work therein. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm.</p>	<p>Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> Any woman or minor including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury may be granted license authorizing a wage less than the minimum for a fixed period.</p>	<p>Director of industrial relations or superintendent of minimum-wage division which shall be set up in the department of industrial relations. Director has authority to make such administrative regulations as he deems appropriate to implement and safeguard minimum fair wage standards established by the wage board.</p>	<p>Minimum wage established by wage order.</p>	<p>Wage fairly and reasonably commensurate with value of service or class of service rendered. In establishing a minimum fair wage, director, superintendent, or wage board (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered; (2) may be guided by like considerations as would guide a court in a suit for reasonable value of services rendered; and (3) may consider wages paid in State for like or comparable work by employers voluntarily maintaining minimum fair wage standards.</p>	<p>Investigation at discretion of director, or on petition of 50 or more residents of the State, to ascertain whether substantial number of women or minors in an occupation are paid oppressive and unreasonable wages, i.e., less than fair and reasonable value of services rendered and less than sufficient to meet minimum cost of living necessary for health. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need on basis of information in his possession, with or without investigation, director shall appoint a wage board.</p>	<p>Director appoints wage board composed of an equal number of representatives, but not more than 3, of employers and employees, and not more than 3 representatives of the public, one of the public group to be designated chairman. After studying evidence and testimony of witnesses board must, within 60 days of its organization, submit a report recommending minimum fair wage standards. Within 10 days director must accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, director issues a directory order. After 3 months and following a public hearing, director may make the order mandatory.</p>	<p>At any time after an order has been in effect 1 year, director may on his own motion, and shall on petition of 50 or more residents, reconsider rates set therein and reconvene the same wage board or appoint a new one to recommend whether rates should be modified. The procedures followed shall be the same as prescribed initially. Director may at any time and from time to time, after notice and public hearing, make such modifications or additions to any administrative regulations as he deems appropriate to effectuate the purposes of this act, provided such modifications or additions could legally have been included in the original order.</p>	<p>Publication of names of employers not complying with directory order. Noncompliance with mandatory order a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.</p>
<p>OKLAHOMA: Statutes Annotated (1951 with cumulative supplement, 1957), title 40, secs. 261 to 284. (Year legislation first enacted: 1937.)</p>	<p>Any industry or occupation. <i>Exceptions:</i> Agriculture, horticulture, dairy, or stock raising.</p>	<p>Women;⁶ <i>Special licenses:</i> Any employee physically defective or crippled by age or otherwise or any apprentice may be granted license authorizing a wage less than the minimum for a fixed period.</p>	<p>Industrial welfare commission.⁷ (Commission composed of governor, commissioner of labor, and chairman of State industrial commission.)</p>	<p>Minimum wage established by wage order.</p>	<p>Wage adequate to supply necessary cost of living and to maintain health. Suitable wage for minors.</p>	<p>Investigation at discretion of commission to determine whether wages paid employees in an occupation are inadequate to supply necessary cost of living and maintain health. Investigation conducted by calling for statements, examining books, payrolls, or other records of employers, and by holding public hearings at which any interested persons may testify. If convinced of need, after investigation, commission is empowered to call a conference.</p>	<p>Commission appoints conference composed of an equal number of representatives of employers and employees, and 1 or more representatives of the public (but public representatives must not exceed the number in either of the groups), and a member of the commission who shall act as chairman. Conference recommends minimum-wage standards, any or all of which commission may accept or reject. If accepted, commission issues a mandatory order.</p>	<p>When commission has specified a minimum wage, it shall not be changed for 1 year. Whenever wages or standard conditions of labor have been made mandatory in any occupation, on petition of employers or employees, commission may at its discretion reopen the question and reconvene the former conference or call a new one. Recommendations of such conference shall be dealt with as prescribed initially.</p>	<p>Noncompliance a misdemeanor, punishable by fine. Employee may recover back wages, costs, and attorney's fees.</p>
<p>OREGON: 5 Revised Statutes (1957), secs. 653.110 to 653.250, 653.265. (Year legislation first enacted: 1913.)</p>	<p>Any occupation, i. e., any and every vocation, pursuit, trade, or industry.</p>	<p>Women; minors (persons of either sex under 18 years of age). <i>Special licenses:</i> In an occupation in which only time rates are established, a woman physically defective or crippled by age or otherwise may be granted license authorizing a wage less than the minimum.</p>	<p>Wage and hour commission. (Commission composed of 3 unsalaried members appointed by the governor for terms of 4 years; commissioner of labor is to serve as secretary and executive officer.)</p>	<p>Minimum wage established by wage order.</p>	<p>Wage adequate to supply necessary cost of living to women workers and to maintain health. Wage not unreasonably low for minors.</p>	<p>Investigation at discretion of commission to ascertain whether substantial number of women are paid wages inadequate to supply the necessary cost of living and maintain health. Investigation conducted by examining witnesses, books, payrolls, and other records of employers, and by holding public hearings at which interested persons may testify. If convinced of need, after investigation, commission may convene a conference.</p>	<p>Commission appoints conference composed of an equal number of representatives, but not more than 3, of employers and employees, not more than 3 representatives of the public, and 1 or more commissioners. Commission shall designate the chairman. After studying evidence and testimony of witnesses, conference must submit a report recommending minimum-wage standards. Commission may accept or reject any or all of the recommendations. If accepted, notice must be published and public hearing held. After final approval, commission issues a mandatory order. Minimum-wage standards for minors are determined by commission after inquiry, notice, and public hearing, but without reference to a wage board.</p>	<p>Noncompliance a misdemeanor, punishable by fine or imprisonment or both. Women employees may recover back wages and attorney's fees.</p>	
<p>PENNSYLVANIA: Statutes Annotated (Purdon, 1952, with cumulative supplement, 1957), title 43, secs. 331a to 331q. (Year legislation first enacted: 1937.)</p>	<p>Any occupation, i. e., any industry, trade, business, or class of work. <i>Exceptions:</i> Domestic service in the home of the employer; service in a religious community or charitable institution; labor on a farm; boys lawfully employed in sale and delivery of newspapers and magazines; persons subject to provisions of Federal Railway Labor Act.</p>	<p>Women; minors (persons of either sex under 21 years of age). <i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury, may be granted license authorizing a wage less than the minimum for a fixed period.</p>	<p>Department of labor and industry. Has authority to modify and amend regulations recommended by wage board.</p>	<p>Minimum wage established by wage order.</p>	<p>Wage fairly and reasonably commensurate with value of service or class of service rendered. In establishing a minimum fair wage for any service or class of service, the secretary of labor and industry and the wage board (1) may take into account the cost of living, and all other relevant circumstances affecting the value of service or class of service; (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered; and (3) may consider the wages paid in the Commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards.</p>	<p>Investigation at discretion of department, or on petition of 50 or more residents of the State, to ascertain whether substantial number of women or minors in an occupation are paid wages less than sufficient to maintain health or efficiency. Investigation conducted by examining books, registers, payrolls, and other records of employers. If convinced of need on basis of information in possession of department, with or without investigation, secretary of labor and industry shall appoint a wage board.</p>	<p>Secretary appoints wage board composed of an equal number of representatives, but not more than 3, of employers, employees, and the public, 1 of the public group to be designated chairman. After studying evidence and testimony of witnesses, board must, within 60 days of its organization, submit a report recommending minimum fair wage standards. Within 10 days, department must accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, department issues a directory order. After 3 months, and following a public hearing, department may make the order mandatory.</p>	<p>At any time after an order has been in effect 1 year or more, department may on its own motion, and shall on petition of 50 or more residents, reconsider rates set therein and reconvene the same wage board or appoint a new one to recommend whether or not rates should be modified. The procedures followed shall be the same as prescribed initially. After notice and public hearing, department may from time to time make such modifications or additions to regulations as may be deemed appropriate to effectuate the purpose of this act, without reference to a wage board, provided such modifications or additions are reasonable and could legally have been included in the original order.</p>	<p>Publication of names of employers not complying with directory or mandatory order. Noncompliance with mandatory order a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.</p>

⁶ The law originally covered men, women, and minors, but was held invalid for men and minors because of a defect in the title of the act.

⁷ According to a letter of April 28, 1949, from the State Department of Labor, the Industrial Welfare Commission "is not in operation and will not be until such time as our State Legislature decides to amend the Minimum-Wage Law and place it in operation."

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
<p>PUERTO RICO: Laws Annotated (1955, with cumulative supplement, 1957), title 29, secs. 245a to 246m.⁸ (Year legislation first enacted: 1919.)</p>	<p>All employment. <i>Exceptions:</i> Domestic service in a family residence, except chauffeurs; employment by the Governments of the United States, of Puerto Rico (with the exception of those agencies or instrumentalities which operate as private businesses or enterprises), or of the Capital or by municipal governments; managers, executives or professionals.</p>	<p>All employees. <i>Special Permit:</i> Secretary of Labor may issue a special permit to apprentice or handicapped worker for employment at minimum rate not less than 50 percent of the fixed minimum.</p>	<p>Minimum-Wage Board in the Department of Labor. (Board composed of 3 members appointed by the Governor with the advice and consent of the Senate for a term of 4 years.) Has authority to: (1) Study the labor conditions which prevail in the different industries; (2) issue regulations and to exercise other powers necessary to accomplish the purposes of the Act; (3) appoint a Minimum Wage Committee when necessary to fix or revise the rates in an industry; and (4) regulate homework.</p>	<p>Statutory rates varying with industry classification.</p>	<p>Highest minimum wages that can be paid by the industry concerned without substantially curtailing employment and taking into consideration the cost of living and the needs of the employees as well as the economic and competitive condition of the industry in question.</p>	<p>In investigating labor conditions in an industry, board authorized to subpoena witnesses and to examine payrolls, records of wages and hours of work, pay lists, assets, and liabilities statements, profit and loss statements, and accounting books.</p>	<p>When necessary to fix or revise minimum wages for an industry, board authorized to call a public hearing before the pertinent committee with at least 10 days' notice by the Chairman of the Board in a newspaper of general circulation. All surveys, reports, statistics, and any other pertinent data or information shall be furnished the committee by the board. Minimum-Wage Committee must be composed of an equal number of persons representing the public interest, employers, and employees in the industry concerned. In case of industries covered by the Federal Fair Labor Standards Act of 1938 as amended, Chairman of the Board may designate as members of the committee residents of any State of the United States or of the District of Columbia. The number of representatives, of the public, employers, and employees of the industry concerned, from the United States must be equal to the number of members designated from Puerto Rico.</p>	<p>Following a hearing the committee transmits a report of findings and a draft decree recommending minimum-wage rate or rates to be paid in the industry (none of which may exceed \$1 an hour). Decree is then published and interested parties are allowed 30 days to file a memorandum for or against approval of said draft decree. After considering a record of the hearings and the memoranda, the board may accept or reject the draft decree. If accepted, the decree has force of law, effective 15 days after publication. Minimum-Wage Board authorized to revise rates with respect to each industry at least once every 2 years.</p>	<p>Noncompliance a misdemeanor punishable by fine, confinement in jail, or both. Employee may recover the unpaid difference in wages, plus an amount equal to the unpaid amounts, costs, expenses, interest, and attorney's fees.</p>
<p>RHODE ISLAND:⁹ (a) General Laws, 1956, secs. 43-4-15 (18).</p>	<p>Any industry, trade or business, or branch thereof or class of work therein. <i>Exceptions:</i> Domestic service in the home of the employer; labor on a farm.</p>	<p>Women; minors (persons of either sex under 21 years of age); men. <i>Special licenses:</i> Any woman or minor, including a learner or apprentice, whose earning capacity is impaired by age or physical or mental deficiency or injury may be granted license authorizing a wage less than the minimum for a fixed period.</p>	<p>Director of labor and commissioner appointed as chief of division of women and children. Director has authority to make such administrative regulations as he deems appropriate to implement and safeguard the minimum fair wage standards established by the wage board.</p>	<p>Minimum wage established by wage order.</p>	<p>Wage fairly and reasonably commensurate with value of service or class of service rendered and not greater than the industry can afford to pay. In establishing a minimum fair wage, commissioner and wage board (1) may take into account all relevant circumstances affecting the value of the service or class of service rendered; (2) may be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered; (3) may consider wages paid in this State and other States for work of like or comparable character by employers voluntarily maintaining minimum fair wage standards; and (4) may consider what wages the industry can afford to pay.</p>	<p>Investigation at discretion of director or commissioner, or on petition of 50 or more residents of the State, to ascertain whether substantial number of women or minors in an occupation are paid oppressive and unreasonable wages, i. e., less than fair and reasonable value of service rendered, less than the industry can afford to pay, and less than sufficient to meet minimum cost of living necessary for health. Investigation conducted by examining registers, payrolls, other records of employers, and witnesses. If convinced of need on basis of information in his possession, with or without investigation, director shall appoint a wage board.</p>	<p>Director appoints wage board composed of an equal number of representatives, but not more than 3, of employers, and employees, and not more than 3 of the public, 1 of the public group to be designated chairman. After studying evidence and testimony of witnesses board must, within 60 days of its organization, submit a report recommending minimum fair wage standards. Within 10 days director shall accept or reject this report. If accepted, report must be published and public hearing held. After final approval of wage-board report, director issues a directory order. After 3 months and following a public hearing, director may make the order mandatory.</p>	<p>At any time after an order has been in effect 1 year or more, director may on his own motion, and shall on petition of 50 or more residents, reconsider rates set therein and reappoint a new one to recommend whether or not rates should be modified. The procedures followed shall be the same as prescribed initially. After notice and public hearing, director may at any time, and from time to time, make such modifications or additions to any administrative regulations as he may deem appropriate to carry out this act provided such regulations could legally have been included in the original order.</p>	<p>Publication of names of employers not complying with directory order. Noncompliance with mandatory order a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.</p>
<p>(b) General Laws, 1956, secs. 28-12-1 to 28-12-24, as amended by Laws of 1957, ch. 3957. (Year legislation first enacted: 1936.)</p>	<p>Any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment in establishments with more than 3 employees. <i>Exceptions:</i> Agriculture, domestic service in or about a private home, employees of the United States, occupations subject to any Federal minimum-wage law; educational, charitable, religious or nonprofit organizations where the employer - employee relationship does not, in fact, exist, or where the services rendered to such organizations are on a voluntary basis; newsboys on home delivery, shoe shine boys in shoe shine establishments, caddies on golf courses, pin boys in bowling alleys, ushers in theaters; traveling salesmen or outside salesmen; service performed by an individual in the employ of his son, daughter, or spouse and services performed by a</p>	<p>All employees. <i>Special licenses:</i> Any individual whose earning capacity is impaired by physical or mental deficiency and, after a public hearing and for 90 days, a learner or apprentice may be granted a license authorizing a wage less than the minimum.</p>	<p>Division of Women and Children in the Department of Labor. Director of Labor has authority to (1) issue regulations deemed appropriate for carrying out the purpose of the Act for occupations in which no wage orders are in effect. Such regulations to be issued after consultation with an advisory board, tripartite in nature, publication, and public hearing; (2) issue an order putting into effect modifications of or additions to regulations or to existing regulations in mandatory wage orders, after publication and public hearing.</p>	<p>Minimum wage fixed by law, with provision for occupational administrative regulations.</p>					<p>Violations punishable by a fine or imprisonment or both. Employee may recover back wages, costs, and attorney's fees.</p>

⁸ The 1956 Act repealed two earlier minimum-wage laws: Act 45 of 1919 and Act 8 of 1941.

⁹ In 1956, Rhode Island enacted a new minimum-wage law to provide a statutory rate applicable to employees in establishments with more than 3 employees. Since the earlier provisions remain applicable to establishments and persons exempted from the statutory rate, the analysis is in two parts: (a) provisions for establishing a minimum wage by a wage board; (b) provisions for statutory rate.

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
RHODE ISLAND—Con.	child under the age of 21 in the employ of his father or mother; employment between May 1 and October 1 in a resort establishment which regularly serves meals to the general public and which is open for business not more than 6 months a year; school or college students employed on a part time basis; any employment in which employer employs 3 or less employees.								
SOUTH DAKOTA: 1 Code 1939, and 1952 supplement, secs. 17.0607, 17.0608, 17.9901. (Year legislation first enacted: 1923.)	Any factory, workshop, mechanical or mercantile establishment laundry, hotel, restaurant, or packing house.	Any woman or girl over the age of 14 years. <i>Special licenses:</i> Apprentices, learners, and women mentally or physically deficient may be granted a permit authorizing a wage lower than the minimum.	Secretary of agriculture	Minimum wage fixed by law.					Noncompliance a misdemeanor, punishable by fine or imprisonment or both. Employee may recover back wages and costs.
UTAH: 3 Code Annotated 1953 (with cumulative supplement, 1957), secs. 34-4-5 to 34-4-21. (Year legislation first enacted: 1913.)	Any occupation, trade, or industry.	Women; minors (females under 21, males under 18 years of age). <i>Special licenses:</i> Any woman physically defective by age or otherwise may be granted license authorizing a wage lower than minimum. License must be renewed every 6 months. Apprentice or learner: Special wage may be set by commission for specified period.	Industrial commission. (Commission composed of 3 members appointed by the governor, with the consent of the senate, for terms of 6 years.)	Minimum wage established by wage order.	Wage adequate to supply necessary cost of proper living and to maintain health and welfare.	Investigation at discretion of commission to determine whether wages paid to women and minors in an occupation are inadequate to supply the cost of proper living. Investigation conducted by examining books, papers, payrolls, or records and witnesses and by holding public hearings at which employers, employees, and other interested persons may testify. If convinced of need, after investigation, commission shall call a wage board.	Commission calls wage board composed of an equal number of representatives of employers and employees with a representative of the commission as chairman. After studying the evidence the board recommends minimum-wage rates to the commission, which, after a public hearing, fixes the minimum rates for the industry and issues a mandatory order.	Whenever wages have been made mandatory, in any occupation, trade, or industry, commission may at any time in its discretion, upon its own motion or upon petition of employers or employees, after a public hearing, rescind, alter, or amend any prior order.	Noncompliance a misdemeanor. Employee may recover back wages and costs.
VERMONT: Laws of 1957, S. B. 125. (Year legislation first enacted: 1957.)	Any industry, trade, or business or branch thereof or class of work therein of employees of 2 or more employees. <i>Exceptions:</i> Agriculture; domestic service in or about a private home; employment by the United States, the State, or any political subdivision thereof; activities of a public supported nonprofit organization, except laundry employees, nurses aides or practical nurses; employment subject to the Federal Fair Labor Standards Act of 1938 as amended; bona fide executive, administrative, or professional employees; newsboys on home delivery; taxicab drivers; outside salesmen; students attending school and working part time; any switchboard operator employed in a public telephone exchange which has not more than 750 stations.	All employees	Commissioner of Industrial Relations. Authorized to: (1) appoint, with the approval of Governor, a tripartite wage board for any industry or business and such board may (a) recommend and determine the amount of deductions for board, lodging, apparel or other items or services supplied by the employer or such other conditions or circumstances as may be usual in a particular employer-employee relationship, including gratuities, provided total remuneration received including wages and other items, equals the minimum-wage rate; and (b) recommend a suitable scale of rates for learners, apprentices, and handicapped workers, which may be less than the regular minimum-wage rate; (2) make a minimum-wage order defining the minimum-wage rates in the occupation as recommended in the report of the wage board and including regulations; (3) reconsider and modify, with wage-board recommendations, orders in effect 6 months or more; (4) propose, with the approval of the Governor, modifications of or additions to any regulations included in a wage order without reference to a wage board, if such modifications could have been included legally in the original order; and issue an order putting such modifications into effect, after publication and public hearing.	Minimum wage fixed by law, with provision for issuance of occupational wage orders through wage boards.	Wages sufficient to provide adequate maintenance, to protect the health of the worker, and to be fairly commensurate with the value of services rendered.				Noncompliance punishable by fine. Employee may recover back wages, costs, and attorney's fees.

ANALYSIS OF STATE MINIMUM-WAGE LAWS—Continued

State	Coverage of the law		Administrative authority	Type of law	Basis of wage rate	Procedures in establishing minimum wages by wage order			Enforcement
	Occupations or industries	Class of employees				Preliminary procedure	Procedure for setting wage rates	Procedure for revision	
<p>WASHINGTON: 7 Revised Code (1957), secs. 49.12.010 to 49.14.200. (Year legislation first enacted: 1913.)</p>	Any occupation, trade, or industry.	<p>Women; minors (persons of either sex under 18 years of age).</p> <p><i>Special licenses:</i> Any woman physically defective or crippled by age or otherwise, or any apprentice, may be granted license authorizing a lower wage.</p>	Industrial welfare committee. (Committee composed of director of labor and industries, supervisor of industrial insurance, supervisor of industrial relations, supervisor of women in industry, and industrial statistician; director of labor and industries is chairman and supervisor of women in industry is executive secretary.)	Minimum wage established by wage order.	Wage adequate to supply necessary cost of living and maintain health. Suitable wage for minors.	Investigation at discretion of committee to ascertain whether wages paid to female employees in an occupation are inadequate to supply the necessary cost of living and maintain health. Investigation conducted by examining books, payrolls, other records of employers, and witnesses, and by holding public hearings at which employers, employees, and other interested persons may testify. If convinced of need, after investigation, committee is empowered to call a conference.	Committee calls conference composed of an equal number of representatives of employers and employees in an occupation or industry, 1 or more representatives of the public (the number not to exceed that in either of the other groups), and a member of the committee to act as chairman. Conference recommends minimum-wage standards which the committee may accept or reject in whole or in part. If accepted, committee issues a mandatory order. Committee may at any time, after inquiry, determine suitable wages for minors and issue mandatory order.	If committee specifies a minimum wage, it shall not be changed for 1 year. Whenever wages have been established by original order, upon petition of either employers or employees, committee may at its discretion reopen the question by calling a public hearing, and may on its own motion amend the original order upon proper showing at the hearing and in harmony with the testimony and facts adduced therein.	Noncompliance a misdemeanor, punishable by fine. Employee may recover back wages, costs, and attorney's fees.
<p>WISCONSIN: Statutes Annotated (West's 1957 with cumulative supplement, 1958), secs. 104.01 to 104.12. (Year legislation first enacted: 1913.)</p>	Every person in receipt of, or entitled to, any compensation for labor performed for any employer.	<p>Women; minors (persons of either sex under 21 years of age).</p> <p><i>Special licenses:</i> Any woman or minor unable to earn the living wage may be granted license to work for a wage commensurate with his or her ability.</p>	Industrial commission. (Commission composed of 3 members appointed by the Governor, with the advice and consent of the senate, for terms of 6 years.)	Minimum wage established by wage order.	Living wage, i.e., sufficient to maintain worker under conditions consistent with welfare, welfare to mean and include reasonable comfort, reasonable physical well-being, decency, and moral well-being.	Investigation at discretion of commission, or on the filing of a verified complaint of any person, to ascertain whether wage paid to any woman or minor is not a living wage. If, upon investigation, commission finds reasonable cause to believe wages paid to women or minors are not a living wage, it shall appoint an advisory board to assist in its investigations and determinations.	Commission appoints an advisory wage board selected to represent fairly employers, employees, and the public. The living wage determined by the commission and this advisory board shall be the living wage for women and minors. Commission issues general or special order fixing the living wage.		Employer not complying shall forfeit and pay into State treasury.
<p>WYOMING: 3 Compiled Statutes Annotated 1945 (with cumulative supplement, 1957), secs. 54-1002 to 54-1004. (Year legislation first enacted: 1955.)</p>	Any occupation, service, trade, business, industry, or branch or group of industries or employment or class of employment. <i>Exceptions:</i> Agriculture; domestic service in or about a private home; bona fide executive, administrative, or professional employees; employment by the United States, the State, or any political subdivision thereof; activities of an educational, charitable, religious, or nonprofit organization where the employer-employee relationship does not, in fact, exist or where the services rendered to such organization are on a voluntary basis; all minors under 18 years of age and all part time and piece workers; outside salesmen whose compensation is solely commission on sales; driver of an ambulance or other vehicle from time to time as necessity requires who is on call at any time.	All employees (except minors under 18 years of age). See Exceptions.		Minimum wage fixed by law.					Employer liable in a civil action to employee in the amount of his or her unpaid minimum wage.

WOMEN'S BUREAU MINIMUM-WAGE BULLETINS

- *No. 61. The Development of Minimum-Wage Laws in the United States, 1912 to 1927. 1928. 635 pp., inc. index.
- No. 137. Summary of State Hour Laws for Women and Minimum-Wage Rates. 1936. 54 pp.
- No. 167. State Minimum-Wage Laws and Orders—An Analysis. 1939. 34 pp. plus 5 folder charts.
State Minimum-Wage Laws and Orders: 1939. 1940 Supplement to Bull. 167. 15 pp.
State Minimum-Wage Laws and Orders: 1940. 1941. Second supplement to Bull. 167. 13 pp.
- *No. 191. State Minimum-Wage Laws and Orders: 1942. An Analysis. 1942. (Revision of Bull. 167.) 52 pp. plus 6 folder charts.
- No. 227. State Minimum-Wage Laws and Orders, July 1, 1942–Jan. 1, 1949. Supplement to Bull. 191. 1949. 55 pp.
- No. 227, revised. State Minimum-Wage Laws and Orders, July 1, 1942–July 1, 1950. Revised supplement to Bull. 191. 1950. 65 pp.
Supplement to Bull. 227, revised. July 1, 1950 to Jan. 1, 1952.
Supplement II to Bull. 227, revised. Jan. 1, 1952 to Jan. 1, 1953.
- No. 247. State Minimum-Wage Laws and Orders, July 1, 1942–March 1, 1953. Supersedes Bull. 227, revised. 1953. 84 pp. plus 9 folded charts.
Supplement to Bull. 247, March 2, 1953 to July 1, 1954.
Supplement 2 to Bull. 247, July 2, 1954 to May 1, 1955.
Supplement 3 to Bull. 247, May 2, 1955 to Aug. 16, 1956.
- *No. 259. State Minimum-Wage Order Provisions Affecting Working Conditions, July 1, 1942 to June 1, 1955. 1955. 75 pp. Processed.

*Contains historical material not superseded by more recent bulletins. Out of print, but may be consulted in libraries or at the Women's Bureau.