

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SEVENTH LEGISLATURE

HOUSE NO. 495

House of Representatives, March 3, 1915.

*Tabled pending acceptance of report by Mr. Fay of Dexter
and ordered printed with amendments.*

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIFTEEN

AN ACT relative to the hours of employment of women and
minors.

Be it enacted by the People of the State of Maine, as follows:

Section 1. No male minor under sixteen years of age, and
2 no female shall be employed in any workshop, factory, manu-
3 facturing or mechanical establishment or laundry more than
4 nine hours in any one day; except when a different appor-
5 tionment of the hours of labor is made for the sole purpose
6 of making a shorter day's work for one day of the week; and
7 in no case shall the hours of labor exceed fifty-four in a
8 week.

Sect. 2. No minor under sixteen years of age shall be
2 employed or permitted to work in or in connection with any
3 of the establishments or occupations named in section one of
4 this act, before the hour of seven o'clock in the morning or
5 after the hour of six o'clock in the evening of any one day.

Sect. 3. No male minor under sixteen years of age and no
2 female shall be employed in any telephone exchange employ-
3 ing more than three operators or in any mercantile establish-
4 ment, store, restaurant, telegraph office or by any express or
5 transportation company in the state of Maine more than
6 fifty-four hours in any one week. The provisions of this
7 section shall not apply between the seventeenth day of De-
8 cember and the twenty-fourth day of December both inclu-
9 sive, and shall not apply during the eight days prior to Easter
10 Sunday to persons employed in millinery shops or stores.
11 In cases of emergency, in which there is danger to property,
12 life, public safety or public health and in cases of extraordi-
13 nary public requirement the provisions of this act shall not
14 apply to employers engaged in public service.

Sect. 4. No female shall, except in cases of emergency or
2 extraordinary public requirement as provided in section three
3 of this act, be employed or permitted to work for more than
4 six hours continuously at one time in any establishment or
5 occupation named in sections one and three of this act in
6 which three or more such females are employed without an
7 interval of at least one hour; except that such female may
8 be so employed for not more than six and one-half hours
9 continuously at one time if such employment ends not later

10 than half-past one o'clock in the afternoon and if she is then
11 dismissed for the remainder of the day.

Sect. 5. Every employer except those hereinafter design-
2 nated, shall post and keep posted in a conspicuous place in
3 every room in any establishment or place of occupation
4 named in sections one and three of this act in which females
5 or male minors under sixteen years of age are employed, a
6 printed notice stating the number of hours such females
7 or male minors are required or permitted to work on each
8 day of the week, the hours of beginning and ending, and the
9 recess allowed for meals, provided, however, that every em-
10 ployer engaged in furnishing public service or in any other
11 kind of business in respect to which the State Department of
12 Labor and Industry shall find that public necessity or con-
13 venience requires the employment of women or male minors
14 as aforesaid by shifts during different periods or parts of
15 the day shall post in a conspicuous place in every room in
16 which such persons are employed, a printed notice stating
17 separately the hours of employment for each shift or tour of
18 duty, and the amount of time allowed for meals. The print-
19 ed form of such notice shall be furnished by the Commis-
20 sioner of Labor and Industry and State Factory Inspector.

The employment of any such female or male minor for a
22 longer time in any day than that stated in the printed notice,
23 or, in case the hours named in such notice are less than as
24 provided in sections one and three of this act, the employ-
25 ment of any such female or male minor for a longer time in

26 any day than as provided in sections one and three of this
27 act, shall be deemed a violation of the provisions of this sec-
28 tion except in cases of emergency or extraordinary public
29 requirement as provided in section three of this act, and in
30 such cases no employment in excess of the hours authorized
31 under the provisions of this act shall be considered as legal-
32 ized until a written report of the day and hour of its occur-
33 rence and its duration is sent to the Commissioner of Labor
34 and Industry and State Factory Inspector. Whenever the
35 nature of the business makes it impracticable to fix the recess
36 allowed for meals at the same time for all females or male
37 minors employed, the Commissioner of Labor and Industry
38 and State Factory Inspector may issue a permit dispensing
39 with the posting of the hours when the recess allowed for
40 meals begins and ends, and requiring only the posting of the
41 total number of hours which females or male minors are re-
42 quired or permitted to work on each day of the week, and
43 the hours of beginning and stopping such work. Such per-
44 mit shall be kept by such employer upon such premises, and
45 exhibited to the Commissioner of Labor and Industry and
46 State Factory Inspector, his deputy, or any authorized agent
47 of the Labor Department, who is hereby authorized to en-
48 force this act.

Sect. 6. Every employer shall keep a time book or record
2 for every female, and every male minor under sixteen years
3 of age employed in any establishment or occupation named
4 in sections one and three of this act, stating the wages paid,
5 the number of hours worked by each female and each male

6 minor under sixteen years of age on each day of the week.
7 Such time book or record shall be open at all reasonable hours
8 to the inspection of the Commissioner of Labor and Indus-
9 try and State Factory Inspector, his deputy, or any author-
10 ized agent of the Labor Department. Any employer who
11 fails to keep such record as required by this section or makes
12 any false entry therein, or refuses to exhibit such time book
13 or record, or makes any false statement to the Commissioner
14 of Labor and Industry and State Factory Inspector, his dep-
15 uty or any authorized agent of the Labor Department, in
16 reply to any question put in carrying out the provisions of
17 this act shall be liable for a violation thereof.

Sect. 7. Any person who violates any of the provisions of
2 this act shall upon conviction be punished by a fine of not
3 less than twenty-five dollars nor more than fifty dollars for
4 the first offense; for the second offense by a fine of not less
5 than fifty dollars nor more than two hundred dollars; for
6 a third offense and every subsequent offense by a fine of not
7 less than two hundred and fifty dollars nor more than five
8 hundred dollars.

Sect. 8. Nothing in the seven preceding sections shall apply
2 to any manufacturing establishment or business, the mate-
3 rials and products of which are perishable and require imme-
4 diate labor thereon to prevent decay thereof or damage
5 thereto.

Sect. 9. All fines or penalties provided for by the terms of
2 this act may be recovered or enforced by complaint or in-

3 ducement, and in all prosecutions under this chapter and
4 amendments and additions thereto, trial justices and judges
5 of the municipal and police courts within their counties shall
6 have by complaint original and concurrent jurisdiction with
7 the supreme judicial and superior courts.

Sect. 10. All acts and parts of acts inconsistent herewith
2 are hereby repealed.

AMENDMENT A TO HOUSE DOCUMENT NO. 328.

Strike out all of said bill after the enacting clause and in-
2 sert the following:

'Section 1. No male minor under sixteen years of age and
4 no female shall be employed in any workshop, factory, man-
5 ufacturing or mechanical establishment more than nine and
6 one-half hours in any one day, except when it is necessary
7 to make repairs to prevent interruption of the ordinary run-
8 ning of the machinery, or when a different apportionment
9 of the hours of labor is made for the purpose of making a
10 shorter day's work for one day in the week, and in no case
11 shall the hours of labor of any such minor or female exceed
12 fifty-six hours in a week; and no male minor over sixteen
13 years of age shall be so employed more than nine and one-
14 half hours a day during minority, or more than fifty-six
15 hours per week, unless he voluntarily contracts to do so
16 with the consent of his parents, or one of them, if any, or
17 guardian, and in such case he shall receive extra compensa-
18 tion for his services; provided, however, that any female of
19 eighteen years of age or over, may lawfully contract for

20 such labor for any number of hours in excess of nine and
21 one-half hours a day, but not exceeding six hours in any
22 one week, or sixty hours in any one year, receiving addi-
23 tional compensation therefor, but during her minority the
24 consent of her parents, or one of them, or guardian, shall
25 be first obtained.

Sect. 2. Section 48 of chapter 40 of the revised statutes
27 is hereby repealed.'

AMENDMENT B TO HOUSE DOCUMENT NO. 328.

Amend House Document No. 328 by striking out all of
2 said section 1 and inserting in place thereof the following:

'Section 1. No male minor under sixteen years of age
4 and no female shall be employed in any workshop, factory,
5 manufacturing or mechanical establishment more than nine
6 and one-half hours in any one day, except when by reason
7 of repairs necessary to prevent interruption of the ordinary
8 running of the machinery, longer hours may be necessary
9 to complete any work, material or product to be completed
10 or delivered at a time certain under contract; or when a
11 different apportionment of the hours of labor is made for
12 the purpose of making a shorter day's work for one day of
13 the week, and in no case, except in the case of such repairs,
14 shall the hours of labor exceed fifty-six in a week.'

AMENDMENT C TO HOUSE DOCUMENT NO. 328.

Amend said House Document No. 328 by striking out
2 section 3.

Also by amending section 4 of said House Document No. 4 328 by striking out the words in the first, second and third 5 lines thereof, "except in cases of emergency or extraordi- 6 nary public requirement as provided in section three of this 7 act."

Also by amending section 5 of said House Document No. 9 328 by striking out the words "and three" in the fourth line 10 thereof; also in the twenty-fourth and twenty-sixth lines 11 thereof.

Also by striking out in the twenty-eighth and twenty-ninth 13 lines of said section 5 the words "except in cases of emer- 14 gency or extraordinary public requirement as provided in 15 section 3 of this act."

Also by amending section 6 of said House Document No. 17 328 by striking out the words "and three" in the fourth line 18 thereof.

Also by renumbering sections 4, 5, 6, 7, 8, 9 and 10, to 20 follow consecutively after section 2.