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HEADQUARTERS
ISHIKAWA MILITARY GOVERNMENT TEAM
APO 301 (Kanazawa, Honshu)

18 June 1948

SUBJECT: Labor Standards Law

TO : Commanding Officer
Ishikawa Mil Govt Team

1. Reference Article 56 of above named law, the following interpretation was received via telephone from I Corps Labor Officer, thru Lt Markle, Labor Officer Tokai-Hokuriku M.G. Region 18 June 1948.

a. It is legal to employ a person who is full 14 years of age, who completed six (6) years schooling and started to work prior to 1 April 1947.

b. It is legal to employ a person who is full 14 years of age, who completed seven (7) years schooling and started to work prior to 1 April 1948.

c. A person who starts to work after 1 April 1948 must be full 14 years of age or have completed eight (8) years schooling.

2. Reference Article 60 of above named law, any person who is full 14 years of age and who has completed the schooling prescribed in Par 1 above may work a total of 48 hours per week.

S/T/ JOSEPH D. GILMORE
Major, FA
Economic Officer

775 013

*Baker ✓
weaving ✓
milling ✓*

TOKAI-HOKURIKU

JUN 26, 1950

PW

INFORMATION

O.D. 8

SUMMARY OF STATE LABOR
LAWS FOR WOMEN
Jan. 1, 1950

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U.S. DEPARTMENT OF LABOR
Maurice J. Tobin, Secretary

WOMEN'S BUREAU
Frieda S. Miller, Director

Washington 25, D. C.

SUMMARY OF STATE LABOR LAWS FOR WOMEN

January 1, 1950

1. - MAXIMUM DAILY AND WEEKLY HOURS

Forty-three States, the District of Columbia, and two Territories have laws limiting women's daily and/or weekly hours of employment in one or more industries.

Five States - Alabama, Florida, Indiana, Iowa, and West Virginia - do not have such laws. Hawaii's law sets no maximum but it requires payment of time and a half employee's regular rate for hours worked in excess of 40 a week.

One-half of the States (24), the District of Columbia, and one Territory have set 8-hours a day and/or 48 hours a week or less as the maximum time a woman may be employed in one or more industries. ^{2/} In all but one of these jurisdictions (Kansas is the exception), manufacturing establishments are covered by such standards. In Connecticut the maximum workweek is 48 hours for several industries but daily hours may not exceed 8 in mercantile establishments nor 9 in other types of employment including manufacturing plants. Ohio's law sets 9-45 hours as the maximum for manufacturing establishments and 8-48 hours as the maximum for other industries. The 8-48 hours law in Kansas applies to public-housekeeping occupations and telephone exchanges; in manufacturing establishments, the maximum is 9 hours a day, 49½ hours a week.

Arizona	8 - 48	New Mexico	8 - 48
Arkansas	8	New York	8 - 48
California	8 - 48	North Carolina	9 - 48
Colorado	8	North Dakota	8½ - 48
Connecticut	8 - 48	Ohio	8 - 48
	9 - 48		9 - 45
District of Columbia	8 - 48	Oregon	8 - 44
Illinois	8 - 48	Pennsylvania	10 - 48
Kansas	8 - 48	Rhode Island	9 - 48
Louisiana	8 - 48	Utah	8 - 48
Massachusetts	9 - 48	Virginia	9 - 48
Montana	8	Washington	8
Nevada	8 - 48	Wyoming	8 - 48
New Hampshire	10 - 48		
		Puerto Rico	8 - 48

Nine States have set a maximum 9-hour day for women and all but one of these (Idaho) have a weekly maximum of 50 or 54 hours. Maine's law sets 50 hours for manufacturing and 54 for a number of other establishments and industries. All but Idaho cover manufacturing.

- ^{1/} The Territories are included for the first time in this Summary. No information is available for the Virgin Islands at the present time.
- ^{2/} If a State has set different legal maximum-hour standards for different industries, the law establishing the highest standard, i.e., the lowest maximum hours, is shown.

Idaho	9	Nebraska	9 - 54
Maine	9 - 50	Oklahoma	9 - 54
Michigan	9 - 54	Texas	9 - 54
Missouri	9 - 54	Vermont	9 - 50
		Wisconsin	9 - 50

Nine States have set a maximum day of 10 hours and a week of from 50 to 60 hours. All cover manufacturing though in Georgia and South Carolina the law is limited to one type of manufacturing only, cotton and woolen mills.

Delaware	10 - 55	Mississippi	10 - 60 (Men and women)
Georgia	10 - 60 (Men and women)	New Jersey	10 - 54
Kentucky	10 - 60	South Carolina	10 - 55 (Men and women) ^{3/}
Maryland	10 - 60	South Dakota	10 - 54
		Tennessee	10 - 50

Minnesota has fixed no daily limit in its statute, having only a 54-hour weekly limitation for manufacturing and several other industries.

Alaska has set 60 hours as the maximum week for household or domestic employees.

2. - DAY OF REST ^{4/}

About half the States (23), the District of Columbia, and one Territory prohibit employment of women for more than 6 days a week in some or all industries. In 2 of these States - Colorado and Utah - the law does not apply to manufacturing establishments. In 7 States and Puerto Rico, both men and women employees are covered.

Arizona	Kansas	Ohio
Arkansas	Louisiana	Oregon
California (Men and women)	Massachusetts (Men and women)	Pennsylvania
Colorado	Nevada	South Carolina
Connecticut (Men and women)	New Hampshire (Men and women)	Utah
Delaware	New Jersey	Washington
District of Columbia	New York (Men and women)	Wisconsin (Men and women)
Illinois (Men and women)	North Carolina	
	North Dakota	
		Puerto Rico (Men and women)

^{3/} A 1949 amendment to the previous 8 and 40-hour law for workers in textile mills provides that work in excess of 8 and 40 is permissible when the Federal Fair Labor Standards Act is complied with.

^{4/} In 1945, Rhode Island re-enacted an earlier law covering employment on certain holidays and added Sundays to the list of days when employment not absolutely necessary is prohibited. Kentucky law requires payment of time and a half for work on 7th consecutive day. In neither State, however, does the law establish a 6-day week.

A number of States still have the so-called "blue-laws" on their statute books. These usually penalize a worker who labors on Sunday at works other than those of necessity or charity. The Sunday or blue laws, since they are not labor laws, are not included here.

3. - MEAL PERIODS

Over half the States (27), the District of Columbia, and one Territory have provided that meal periods varying from 1/3 hour to 1 hour must be allowed to women in some or all industries. This provision applies to manufacturing establishments in all but 4 of these States - Colorado, Illinois, North Carolina, and Washington. The States are as follows:

Arkansas	Maine	Ohio
California	Maryland	Oregon
Colorado	Massachusetts	Pennsylvania
Delaware	Nebraska (Men and women)	Rhode Island
District of Columbia	Nevada	Utah
Illinois	New Jersey (Men and women)	Washington
Indiana (Men and women)	New Mexico	West Virginia
Kansas	New York (Men and women)	Wisconsin
Kentucky	North Carolina	
Louisiana	North Dakota	Puerto Rico

4. - REST PERIODS

Rest periods are provided for in 8 States. Two - Nevada and Wyoming - provide rest periods for a variety of industries by statute, and 6 States - Arizona, California, Colorado, Oregon, Utah, and Washington - provide rest periods for one or more industries by minimum-wage order. The great majority set a 10-minute period within the half-day's work; some set 15 minutes and one, 5 minutes.

5. - NIGHT WORK

Twenty-three States, the District of Columbia, and one Territory place some limitation on the hours of employment of women or persons between 18 and 21 at night.

The following 13 States prohibit night work for adult women in certain industries or occupations. In North Dakota and Washington only elevator operators are covered.

California	Massachusetts	South Carolina
Connecticut	Nebraska	Washington
Delaware	New Jersey	Wisconsin
Indiana	New York	
Kansas	North Dakota	Puerto Rico

In 4 additional States - Arizona, Kentucky, Pennsylvania, Rhode Island - and the District of Columbia, a night-work prohibition applies only to persons under 21 years of age in messenger service. In another State - Virginia - similar limitations apply only to girl messengers. In Ohio, girls under 21 may not be employed for night work in the numerous industries or occupations listed in the statute.

In 4 additional States - Maryland, New Hampshire, New Mexico, and Utah - as well as in several of the States already listed, the laws do not prohibit the employment of adult women at night but regulate such employment either by limiting the number of hours that may be worked at night or by requiring the employer to meet specific working-conditions standards. Puerto Rico's law makes a specific regulation for night work in canning and packing plants.

6. - SEATING

Forty-six States, the District of Columbia, and Puerto Rico have seating laws - all but one of them applying exclusively to women. Florida's law applies to both males and females. Illinois and Mississippi have no seating laws.

7. - OCCUPATIONAL LIMITATIONS

Twenty-nine States have occupational limitation laws for women and minors - 23 of them having one or more such limitations on the employment of adult women. In these States the occupations in which such employment is usually prohibited are mining and work in liquor establishments.

In 17 of the States, women's employment in mines is prohibited and in 8 they may not be employed to mix, sell, or dispense alcoholic liquors in establishments where such beverages are sold for on-premises consumption. The laws of 10 States prohibit a woman's employment in occupations or places considered hazardous or injurious to health or safety, such as operating polishing wheels or belts, cleaning moving machinery, employment as a bell-hop, or in basements of establishments specified.

The summary following shows the few industries or occupations in which the employment of adult women is prohibited by State law.

<u>Mines</u>	<u>Barrooms</u>		<u>Other places and occupations</u>
Alabama	California	Arizona	- Constant standing (all industries).
Arizona	Connecticut	Louisiana	- Cleaning moving machinery.
Arkansas	Illinois	Michigan	- Operating polishing wheels, belts, etc., in room wholly or partly underground.
Colorado	Kentucky		Foundries.
Illinois	Louisiana		Handling certain harmful substances.
Indiana	Michigan		Hazardous occupations.
Maryland	Ohio	Minnesota	- Core rooms.
Missouri	Pennsylvania		Cleaning moving machinery.
New York		Missouri	- Cleaning or working between moving machinery.
Ohio			
Oklahoma			
Pennsylvania			

Utah	New York	- Operating polishing wheels, etc. Basement of a mercantile or restaurant establishment.
Virginia	Ohio	- Lists 16 occupations (in addition to mines, smelters, barrooms) in which women's employment is prohibited. Examples are bell- hops, express drivers, operation of freight or baggage elevators, work in shoe-shining parlors, pool rooms, etc.
Washington	Pennsylvania	- Dangerous or injurious occupations.
Wisconsin	Washington	- Bellhop.
Wyoming	Wisconsin	- Disorderly house.

8. - WEIGHT LIFTING

Nine States have some regulation regarding the lifting or carrying of heavy weights by women. These States are:

California	Minnesota (core rooms only)	Oregon
Massachusetts	New York (core rooms only)	Utah
Michigan	Ohio	Washington

9. - INDUSTRIAL HOME WORK

Twenty-one States and one Territory have industrial home-work laws or regulations. In all but 3- Colorado, Oregon, and Utah - the law applies to persons, in these 3 jurisdictions the law applies to women and minors only. The States are:

California	Michigan	Rhode Island
Colorado	Missouri	Tennessee
Connecticut	New Jersey	Texas
Illinois	New York	Utah
Indiana	Ohio	West Virginia
Maine	Oregon	Wisconsin
Maryland	Pennsylvania	
Massachusetts		Puerto Rico

10. - EMPLOYMENT BEFORE AND AFTER CHILDBIRTH

Six States and one Territory have laws prohibiting the employment of women immediately before and after childbirth. Except for Puerto Rico their provisions are limited to prohibiting employment. Puerto Rico, in addition, requires the employer to pay to the working mother during the 8-week period one-half of her regular salary or wage. None provide for job security during the required absence. The States and the periods during which women may not be required to work are:

Connecticut	4 weeks before and 4 weeks after
Massachusetts	4 weeks before and 4 weeks after
Missouri	3 weeks before and 3 weeks after
New York	4 weeks after
Vermont	2 weeks before and 4 weeks after
Washington	4 months before and 6 weeks after
Puerto Rico	4 weeks before and 4 weeks after

11. - EQUAL PAY

Twelve States and one Territory have enacted statutes which prohibit discrimination in rate of pay because of sex. Two of these - Illinois and Michigan - apply to manufacturing only. Three States - California, Connecticut, Main - and Alaska enacted equal pay laws in 1949.

California	Massachusetts	Pennsylvania
Connecticut	Michigan	Rhode Island
Illinois	Montana	Washington
Maine	New Hampshire	Alaska
	New York	

12. - MINIMUM WAGE

Twenty-six States, the District of Columbia, and three Territories have minimum-wage laws. Most of these apply to women and both male and female minors; variations from this pattern of coverage are indicated below. These laws are broad in their coverage of industries, most of them being all-inclusive with a few listed exemptions, usually domestic service and agriculture. The Maine law, however, applies only to fish packing.

Arizona	Maine	Oregon
Arkansas (Women and girls)	Massachusetts (All persons)	Pennsylvania
California	Minnesota	Rhode Island -
Colorado	Nevada (Women and girls)	(All persons)
Connecticut (All persons)	New Hampshire (All persons)	South Dakota -
District of Columbia	New Jersey	(Women and girls)
Illinois	New York (All persons)	Utah
Kansas	North Dakota	Washington
Kentucky	Ohio	Wisconsin
Louisiana (Women and girls)	Oklahoma (Women)	Alaska (Women)
		Hawaii (All persons)
		Puerto Rico -
		(All persons)

Both Massachusetts and New Hampshire amended their minimum-wage laws in 1949 to establish statutory rates in addition to retaining existing wage-board provisions.

STATE LABOR LAWS FOR WOMEN - A BRIEF REVIEW

The basic purpose of labor legislation for women is protection of the health of the woman worker. Various factors, such as the concentration of women in the low-paid, unskilled occupations and their lack of effective trade union organization in the early days led to the exploitation of women workers. In many industries and areas their employment was characterized by inadequate wages, excessively long hours, and unhealthful conditions of work. Woman's dual role as home maker and wage earner made the elimination of such conditions a matter of social importance and laid the basis for the comprehensive system of women's labor law that exists today.

Each of the 48 States, the District of Columbia, Alaska, Hawaii, and Puerto Rico now has on its statute books laws establishing standards for the employment of women. Principal subjects of regulation are: (1) Hours of work including maximum daily and weekly hours, day of rest, meal and rest periods, and night work; (2) plant facilities, such as seating; (3) limitations on certain hazardous or unhealthful types of employment; (4) regulation of industrial home work; (5) limitations on employment before and after childbirth; (6) wages, including minimum wages and equal pay. In most such laws the coverage is expressly limited to women or to women and minors. Not every State has enacted legislation on each of these subjects and the standards established vary widely from State to State.

The first women's laws to be adopted were those establishing maximum hours of employment. Ohio enacted a 10-hour law for women as early as 1852. The first enforceable law was that of Massachusetts, as amended in 1879. The standard of a 10-hour maximum workday gradually was replaced by 9-hours and then by the 8-hour day. Today all except 5 States and Hawaii have laws in effect setting a legal limit to the hours of employment of women in one or more industries. In about half the States, the limit so established is 8 hours a day and/or 48 hours a week.

Other major fields of labor legislation for women are minimum wage and equal pay. The first minimum-wage law in the United States was enacted by Massachusetts in 1913. Today 26 States, the District of Columbia, Alaska, Hawaii, and Puerto Rico have minimum-wage laws. Seven such laws now cover men as well as women and minors. Equal pay laws originated at the end of the first World War with the passage of bills in Michigan and Montana. The second World War gave new impetus to such legislation with the result that 10 additional States and Alaska enacted equal-pay laws from 1943 to the present date.

After a series of conflicting court decisions involving major types of labor legislation for women - maximum hour and minimum wage - the courts finally upheld the constitutionality of such laws, finding that the health and well-being of women workers are a matter of public concern and that legislation can properly take such factors into account. The constitutionality of maximum hour legislation, a subject of contest for nearly two decades, was finally established in 1908 by a United States Supreme Court decision upholding the Oregon 10-hour law. With respect to minimum-wage legislation, the Court held the District of Columbia law unconstitutional in 1923 (Adkins case) and later expressly reversed itself, upholding the constitutionality of the Washington State law (Parrish case) in 1937. The constitutionality of the Michigan equal-pay law was upheld by the State Supreme Court in the first such case ever to reach the highest court in any State. It has never come before the U.S. Supreme Court.

During three-quarters of a century of development, the field of labor legislation for women has seen a tremendous increase in the number of laws and a notable improvement in standards they established. The record made during the 1949 legislative sessions furnishes a current example: Two States - Maine and Tennessee - improved their maximum-hour law standards; Wyoming enacted a rest period provision; Maine enacted a home-work law; and 3 States - California, Connecticut, Maine - and Alaska enacted equal-pay laws. Two States - Massachusetts and New Hampshire - amended their minimum-wage laws to establish statutory rates retaining, however, existing wage-board provisions and New Hampshire's amendment extended the State's minimum wage coverage to adult males.