

thoroughly examined by the said examining physician at the time of the application for an employment certificate, and is physically qualified for the employment specified in the statement of the prospective employer. In any case where the said physician shall deem it advisable, he may issue a certificate of physical fitness for a limited time; at the expiration of which time the holder shall again appear, and submit to a new examination before being permitted to continue at work: Provided, however, That in a school district of the first, second, or third class the physical examination of a minor provided for by this act shall be made by a physician employed by the board of school directors of the school district in which such minor resides, and in a district of the fourth class by a physician appointed by the State Department of Health; that the certificate of physical fitness provided for by this act shall be signed by said physician, and that no fee or other compensation for such service shall be required to be paid by such minor or by his parent or guardian: *Provided, however, That for the duration of present hostilities and six (6) months thereafter, any physician licensed to practice medicine in Pennsylvania may make such examinations in event that the parent or guardian or employer is willing to pay for same.*

Examination  
of minors.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN

No. 183

### AN ACT

To further amend section one and paragraphs (a) and (b) of section three, and sections four and seven, and amend section five of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (Pamphlet Laws, one thousand twenty-four), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by changing the definitions of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Female  
employment.

Section 1. Section one\* of the act, approved the twenty-fifth day of July, one thousand nine hundred

\* "1" in original.

Section 1, act of July 25, 1913, P. L. 1024, as last amended by act of June 4, 1937, P. L. 1547, further amended.

thirteen (Pamphlet Laws, one thousand twenty-four), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," as last amended by the act, approved the fourth day of June, one thousand nine hundred and thirty-seven (Pamphlet Laws, one thousand five hundred forty-seven), is hereby further amended to read as follows:

Definitions.

Section 1. Be it enacted, &c., That the term "establishment," when used in this act, shall mean any place within this Commonwealth where work is done for compensation of any sort, to whomsoever payable.

The term "person," when used in this act, shall be construed to include any individual, partnership, or other unincorporated association, corporation, Commonwealth, and any political subdivision thereof.

The term "week," when used in this act, shall mean [any] seven consecutive days *which may begin on any day of a week*, and the term "day" shall mean [any] twenty-four consecutive hours *which may begin at any hour of a day*.

Paragraph (a), section 3 of said act, further amended.

Section 2. Paragraph (a) of section three of the said act, as last amended by the act, approved the ninth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, three hundred five), is hereby further amended to read as follows:

Hours of labor.

Section 3. (a) Except as hereinafter provided, no female shall be employed or permitted to work in, or in connection with, any establishment for more than five and one-half days in any one week or more than forty-four hours in any one week, or more than eight hours in any one day: Provided, That one day of rest may be subdivided into two days of twelve hours each for women employes in hotels, boarding-houses, and in charitable, educational and religious institutions, at the discretion of the Department of Labor and Industry, with the approval of the Industrial Board: And provided further, That females employed in charitable or welfare institutions operated on a nonprofit basis, shall be permitted to work for not more than ten hours in any one day, which ten hours shall be all within one period of thirteen consecutive hours, and not more than forty-eight hours in six days of any calendar week: *And provided*

*further, That during the present existing state of war between the United States and certain foreign countries, and six months thereafter, upon application of an employer to the Secretary of Labor and Industry, with the approval of the Industrial Board, females may be employed or permitted to work in or in connection with any establishment for forty-eight hours in any one week, but not to exceed ten hours in any one day, or more than six consecutive days in any one week, provided such employment is directly or indirectly in furtherance of the war effort.*

Where the strict application of the schedule of hours, provided for by this section, imposes an unnecessary hardship and violates the intent and purpose of this act, the Department of Labor and Industry, with the approval of the Industrial Board, may make, alter, amend, and repeal general rules and regulations prescribing variations from said schedule of hours: Provided, That if it should be held hereafter by the courts of this Commonwealth that the power herein sought to be granted to the said Department of Labor and Industry is, for any reason, invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

Section 3. Paragraph (b) of section three of said act, as amended by the act, approved the fourth day of June, one thousand nine hundred thirty-seven (Pamphlet Laws, one thousand five hundred forty-seven), is hereby further amended to read as follows:

Paragraph (b),  
section 3 of said  
act, further  
amended.

(b) Whenever any female shall be employed or permitted to work in, or in connection with, more than one establishment in any one week or in any one day, the aggregate number of hours during which she shall be employed or permitted to work in, or in connection with, such establishments shall not exceed forty-four in any one week or eight in any one day: *Provided, That during the present existing state of war between the United States and certain foreign countries, and six months thereafter, upon application of an employer to the Secretary of Labor and Industry, with the approval of the Industrial Board, females may be employed or permitted to work in or in connection with such establishments for forty-eight hours in any one week, but not to exceed ten hours in any one day, nor more than six consecutive days in any one week, provided such employment is directly or indirectly in furtherance of the war effort.*

Section 4. Section four of said act, as last amended by the act, approved the ninth day of June, one thousand nine hundred thirty-nine (Pamphlet Laws, three hundred six), is hereby further amended to read as follows:

Section 4 of said  
act further  
amended.

Section 4. No female shall be employed or permitted to work in any manufacturing establishment before the

hour of six o'clock in the morning, or after the hour of ten o'clock in the evening of any day, except that in manufacturing establishments operating not more than two shifts, females may be employed between the hours of six o'clock in the morning and twelve o'clock midnight: Provided, That employment in such cases shall not exceed eight (8) consecutive hours in any one day (exclusive of meal period) or five (5) days in any one week. The provisions of this section shall not apply to managers, superintendents, or persons doing clerical or stenographic work: *And provided further, That where the strict application of the night restrictions impedes or interferes with the war effort, the Department of Labor and Industry, with the approval of the Industrial Board, may suspend the provisions of this section.*

Section 5. Section five of said act is hereby amended to read as follows:

Section 5 of said act amended.

Section 5. No female under twenty-one years of age shall be employed or permitted to work in, or in connection with, any establishment before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day: Provided, That this section shall not apply to females over the age of eighteen years employed as telephone operators: *And provided further, That where the strict application of the night restrictions impedes or interferes with the war effort, the Department of Labor and Industry, with the approval of the Industrial Board, may suspend the provisions of this section.*

Section 6 of said act further amended.

Section 6. Section seven of the act is hereby further amended to read as follows:

Section 7. No female shall be employed or permitted to work for more than five hours continuously in, or in connection with, any establishment, without a meal or rest period of at least thirty minutes, which period shall not be considered a part of the hours of labor, and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work.

Employes shall not be required to remain in the work-rooms during the meal or rest periods required by this section: *Provided, however, That where the strict application of the thirty minutes' meal or rest period impedes or interferes with the war effort, the Department of Labor and Industry, with the approval of the Industrial Board, may suspend the provisions of this section.*

Act effective immediately.

Section 7. The provisions of this act shall become effective immediately upon its final enactment.

APPROVED—The 21st day of May, A. D. 1943.

EDWARD MARTIN