

lished under this act, their transfer and the income therefrom, the property and facilities used and useful in the operation of said administration, shall at all times be free from taxation within the Commonwealth of Pennsylvania.

Section 14. The bonds and other securities and obligations of said administration shall be a lien upon, and payable solely and exclusively from, the assets and revenues of said administration, and shall not be nor be deemed to be an indebtedness of the Commonwealth of Pennsylvania, or of any county, city, borough, township, or other political subdivision or municipality within the Commonwealth. The administration shall have no power to pledge the credit or to create any debt of the Commonwealth, or of any county, city, borough, township, or other political subdivision or municipality within the Commonwealth.

Section 15. All matters and things necessary for the proper conduct of the affairs of said administration which are not provided for in this act shall be provided for by the board of administrators of the administration.

Section 16. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Constitutional provision.

Section 17. All acts or parts of acts inconsistent with this act are hereby repealed.

Repeals.

APPROVED—The 4th day of June, A. D. 1937.

GEORGE H. EARLE

No. 322

AN ACT

To amend section one, section three as amended, sections seven and thirteen, and section seventeen as amended, and to repeal section six 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," as amended, by excepting from the provisions of the act certain occupations and professions; further regulating the hours of labor; eliminating existing provisions

permitting overtime work in certain cases; imposing duties on employers; and conferring powers and imposing duties on the Department of Labor and Industry; and providing penalties.

Section 1, act of
July 25, 1913
(P. L. 1024),
amended.

Section 1. Be it enacted, &c., That section one 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," is hereby 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 whomever payable. [Provided, That this act shall not apply to work in private homes and farming.]

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

The term "week," when used in this act, shall mean any seven consecutive days, and the term "day" shall mean any twenty-four consecutive hours.

Section 3, as
amended by act
of June 1, 1915
(P. L. 709), fur-
ther amended.

Section 2. That section three of said act as amended by the act, approved the first day of June, one thousand nine hundred fifteen (Pamphlet Laws, seven hundred nine), is hereby further amended to read as follows:

Hours of labor.

Section 3. (a) [No] *Except as hereinafter provided, no* female shall be employed or permitted to work in, or in connection with, any establishment for more than [six] *five and one-half* days in any one week or more than [fifty-four] *forty-four* hours in any one week, or more than [ten] *eight* hours in any one day: [Provided, That during weeks in which a legal holiday occurs and is observed by an establishment, any female may be employed by such establishment during three days of such week for a longer period of time than is allowed by this act; but no female shall be permitted to work more than two hours overtime during any one of such three days, nor more than the maximum hours per week specified in this act.

The employment of such persons at any other time than as stated herein shall be deemed a violation of the

provisions of this section, unless it appears that such employment was to make up time lost in the same week in consequence of the alteration, repairs or accidents to machinery or plant, upon which she was employed and dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be legal unless a written report of the same is sent to the Commissioner of Labor and Industry; but no female shall be permitted to work more than two hours overtime during any one day, nor more than the maximum number of hours per week specified in this act: Provided, That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products: And provided further, That the one day of holiday in seven 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 Industrial Board of the Department of Labor and Industry: Provided, That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is, for any reason, invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.] *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.*

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.

(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 [the number of hours prescribed in this section for such females] *forty-four* in any one week or *eight* in any one day.

(c) *Nothing in this section or any other provisions of this act shall apply to the employment of females in agricultural field occupations, or in domestic service in private homes, or to the work of females employed in orphan homes and industrial schools, nor shall any provisions of this act which relates to the regulation of hours of employment [The provisions of this section shall not] apply to the work of nurses in hospitals, or to the work of females over twenty-one years of age earning at least twenty-five dollars a week in executive positions.*

(d) *It shall be unlawful for any female to be employed, or permitted to work, in any occupation dangerous to life or limb, or injurious to the health or morals, as such occupation shall, from time to time, be determined and declared by the Industrial Board.*

Section 6,
repealed.

Section 3. That section six of said act be, and the same is hereby, repealed.

Section 7,
amended.

Section 4. That section seven of said act is hereby amended to read as follows:

Rest period.

Section 7. No female shall be employed or permitted to work for more than [six] *five* hours continuously in, or in connection with, any establishment, without [an interval of at least forty-five minutes] *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 [forty-five] *thirty* minutes shall be deemed to interrupt a continuous period of work. [Provided, That whenever any female shall be employed or permitted to work in, or in connection with, any establishment for less than eight hours in any one day, the interval between work periods may be reduced to not less than thirty minutes.]

Employes shall not be required to remain in the work-rooms during the *meal or rest periods* required by this section.

Section 13,
amended.

Section 5. That section thirteen of said act is hereby amended to read as follows:

Schedule of labor
laws, etc.

Proviso.

Posting.

Section 13. Every person employing or permitting any female to work in any establishment shall keep posted, in a conspicuous place in the room where such female shall be employed or permitted to work, a printed abstract of the provisions of this act, and a schedule of the hours of labor of such female: Provided, That when any female employed or permitted to work in more than one room in any establishment, the aforesaid abstract and schedule shall be required in only one of the said rooms. If any female shall be employed or permitted to work in connection with any establishment, but not in such establishment, the aforesaid abstract and schedule shall be kept posted in a conspicuous place in the office of such establishment.

Contents.

The schedule of hours of labor herein required shall

contain [the name of the female employed or permitted to work, the] maximum number of hours [such] *each* female shall be required or permitted to work on each day of the week, with the total for the week, the hours of commencing and stopping work, and the hours when the time allowed for [meals] *meal or rest periods* shall begin and end for each day of the week. *If more than one schedule of hours is in operation in, or in connection with, any establishment, the posted schedule shall also contain the names of the female employes working on the different shifts, and shall clearly indicate the hours required of each female or group of females.* [Such female] *Females* may begin work after the time for beginning, and stop before the time for ending work, stated in each schedule; but [she] *no female* shall [not] otherwise be employed or permitted to work in, or in connection with, any establishment, except as stated in such schedule.

The [Commissioner] *Department* of Labor and Industry shall prepare the abstract of the provisions of this act, and a form for the schedule of hours of labor required by this section. Copies of such abstract and such form shall be printed, in accordance with the laws of this Commonwealth regulating printing and publishing, [under the supervision of the Superintendent of Public Printing and Binding] and the [Commissioner] *Department* of Labor and Industry shall supply the same, upon application, to all persons required to post the abstract and schedule aforesaid. *Said schedule shall remain the property of the Department of Labor and Industry.*

Abstracts and forms.

Section 6. That section seventeen of said act, as amended by the act, approved the eighteenth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, six hundred seventeen), is hereby further amended to read as follows:

Section 17, as amended by act of April 18, 1929 (P. L. 617), further amended.

Section 17. All prosecutions for violations of this act shall be instituted by the Department of Labor and Industry, before a magistrate, alderman, or justice of the peace, [who shall issue a summons commanding the person charged with a violation of the act to appear within not less than five nor more than eight days] and shall be in the form of summary proceedings. Upon conviction after hearing, the penalties provided in this act shall be imposed, and shall be final, unless an appeal be taken to the court of proper jurisdiction, within twenty days after the imposition of the penalties aforesaid, in the manner already provided by law in appeals from penalties.

Prosecutions.

APPROVED—The 4th day of June, A. D. 1937.

GEORGE H. EARLE

lished under this act, their transfer and the income therefrom, the property and facilities used and useful in the operation of said administration, shall at all times be free from taxation within the Commonwealth of Pennsylvania.

Section 14. The bonds and other securities and obligations of said administration shall be a lien upon, and payable solely and exclusively from, the assets and revenues of said administration, and shall not be nor be deemed to be an indebtedness of the Commonwealth of Pennsylvania, or of any county, city, borough, township, or other political subdivision or municipality within the Commonwealth. The administration shall have no power to pledge the credit or to create any debt of the Commonwealth, or of any county, city, borough, township, or other political subdivision or municipality within the Commonwealth.

Section 15. All matters and things necessary for the proper conduct of the affairs of said administration which are not provided for in this act shall be provided for by the board of administrators of the administration.

Section 16. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

Constitutional provision.

Section 17. All acts or parts of acts inconsistent with this act are hereby repealed.

Repeals.

APPROVED—The 4th day of June, A. D. 1937.

GEORGE H. EARLE

No. 322

AN ACT

To amend section one, section three as amended, sections seven and thirteen, and section seventeen as amended, and to repeal section six 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," as amended, by excepting from the provisions of the act certain occupations and professions; further regulating the hours of labor; eliminating existing provisions

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provisions of this section, unless it appears that such employment was to make up time lost in the same week in consequence of the alteration, repairs or accidents to machinery or plant, upon which she was employed and dependent for employment; but no stopping of machinery for less than thirty consecutive minutes shall justify such overtime employment, nor shall such overtime employment be legal unless a written report of the same is sent to the Commissioner of Labor and Industry; but no female shall be permitted to work more than two hours overtime during any one day, nor more than the maximum number of hours per week specified in this act: Provided, That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products: And provided further, That the one day of holiday in seven 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 Industrial Board of the Department of Labor and Industry: Provided, That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is, for any reason, invalid, such holding shall not be taken in any case to affect or impair the remaining provisions of this section.] *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.*

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Prosecutions.

APPROVED—The 4th day of June, A. D. 1937.

GEORGE H. EARLE