

HOUSE No. 625

Bill accompanying the petition of Charles H. Morrill that the age at which minors may be employed in certain industries be raised from fourteen to sixteen years. Social Welfare. January 14.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fifteen.

AN ACT

To raise from Fourteen to Sixteen the Age at which Minors may be employed in Certain Industries.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section fifty-six of chapter five hundred
2 and fourteen of the acts of the year nineteen hundred
3 and nine, as amended by section fourteen of chapter
4 seven hundred and seventy-nine, of the acts of the year
5 nineteen hundred and thirteen, and by section one of
6 chapter eight hundred and thirty-one of the acts of the
7 year nineteen hundred and thirteen, is hereby further
8 amended by striking out the word "fourteen", in the
9 first and ninth lines, and inserting in place thereof in
10 each case the word:—sixteen,—so as to read as fol-
11 lows:—*Section 56.* No minor under sixteen years of

12 age shall be employed or permitted to work in or about
13 or in connection with any factory, workshop, manufac-
14 turing, mechanical or mercantile establishment, barber
15 shop, bootblack stand or establishment, public stable,
16 garage, brick or lumber yard, telephone exchange, tele-
17 graph or messenger office or in the construction or repair
18 of buildings, or in any contract or wage-earning industry
19 carried on in tenement or other houses. No minor un-
20 der sixteen years of age shall be employed at work per-
21 formed for wage or other compensation, to whomsoever
22 payable, during the hours when the public schools are
23 in session or shall be employed at work before half past
24 six o'clock in the morning or after six o'clock in the
25 evening.

1 SECTION 2. Section fifty-seven of chapter five hundred
2 and fourteen of the acts of the year nineteen hundred
3 and nine, as amended by section fifteen of chapter seven
4 hundred and seventy-nine of the acts of the year nine-
5 teen hundred and thirteen, is hereby further amended
6 by striking out the words "fourteen and sixteen", in
7 the second line, and inserting in place thereof the words:
8 — under eighteen,—and also by striking out the
9 words "fourteen but under sixteen", in the fifteenth
10 line, and inserting in place thereof the words:— sixteen
11 but under eighteen,—so as to read as follows:—
12 *Section 57.* No child under eighteen years of age shall
13 be employed or be permitted to work in, about or in
14 connection with any factory, workshop, manufacturing,
15 mechanical or mercantile establishment unless the person,
16 firm or corporation employing such child procures and
17 keeps on file accessible to the attendance officers of the
18 city or town, to agents of the board of education, and to
19 the state board of labor and industries or its authorized

20 agents or inspectors, the employment certificate as here-
21 inafter provided issued to such child, and keeps a com-
22 plete list of the names and ages of all such children
23 employed therein conspicuously posted near the princi-
24 pal entrance of the building in which such children are
25 employed: *provided, however*, that children who are
26 over sixteen and under eighteen years of age shall be
27 permitted to work in mercantile establishments on Sat-
28 urdays between the hours of seven in the morning and
29 six in the evening, without such certificate. On term-
30 ination of the employment of a child whose employment
31 certificate is on file, said certificate shall be returned by
32 the employer within two days after said termination to
33 the office of the superintendent of schools from which it
34 was issued.

1 SECTION 3. Section sixty-one of chapter five hundred
2 and fourteen of the acts of the year nineteen hundred
3 and nine as amended by chapter two hundred and forty-
4 nine of the acts of the year nineteen hundred and ten
5 and by section nineteen of chapter seven hundred and
6 seventy-nine of the acts of the year nineteen hundred
7 and thirteen, is hereby further amended by striking out
8 the word "sixteen", in the second and fourth and ninth
9 lines, and inserting in place thereof in each case the
10 word: — eighteen, — so as to read as follows: — *Section*
11 *61.* Whoever employs a person under the age of
12 eighteen years, and whoever procures or, having under
13 his control a person under eighteen years of age,
14 permits such person to be employed in violation of the
15 provisions of sections fifty-six or fifty-seven of this act,
16 shall for each offence be punished by a fine of not less
17 than ten dollars nor more than fifty dollars, or by im-
18 prisonment for not more than thirty days; and who-

19 ever continues to employ a person under eighteen years
20 of age in violation of the provisions of either of said
21 sections, after being notified thereof by a school attend-
22 ance officer or by an inspector appointed by the state
23 board of labor and industries, shall for every day there-
24 after while such employment continues be punished by
25 a fine of not less than fifty nor more than two hundred
26 dollars, or by imprisonment for not more than sixty
27 days; and whoever forges, or procures to be forged, or
28 assists in forging a certificate of birth or other evidence
29 of the age of such person, and whoever presents or
30 assists in presenting a forged certificate or evidence of
31 birth to the superintendent of schools or to a person au-
32 thorized by law to issue certificates, for the purpose
33 of fraudulently obtaining the employment certificate
34 required by this act, shall be punished by a fine of not
35 less than ten nor more than five hundred dollars, or by
36 imprisonment for not more than one year, or by both
37 such fine and imprisonment. Whoever, being author-
38 ized to sign an employment certificate, knowingly certifies
39 to any materially false statement therein shall be pun-
40 ished by a fine of not less than ten nor more than two
41 hundred dollars.

1 SECTION 4. Section sixty-six of chapter five hundred
2 and fourteen as amended by section twenty-three of
3 chapter seven hundred and seventy-nine of the acts of the
4 year nineteen hundred and thirteen, is hereby further
5 amended by striking out the word "sixteen", in the
6 second line, and inserting in place thereof the word:—
7 eighteen,—so as to read as follows:— *Section 66.*
8 No child who is over eighteen and under twenty-one
9 years of age shall be employed in a factory, workshop,
10 manufacturing, mechanical or mercantile establishment

11 unless his employer procures and keeps on file an
12 educational certificate showing the age of the child and
13 his ability or inability to read and write as hereinafter
14 provided. Such certificates shall be issued by the per-
15 son authorized by this act to issue employment certificates.

16 The person authorized to issue such educational cer-
17 tificates shall, so far as is practicable, require the proof
18 of age stated in section fifty-eight. He shall examine
19 the child and certify whether or not he possesses the
20 educational qualifications enumerated in section one of
21 chapter forty-four of the Revised Laws, as amended.
22 Every such certificate shall be signed in the presence of
23 the person issuing the same by the child in whose name
24 it is issued.

25 Every employer of such children shall keep their edu-
26 cational certificates accessible to any officer authorized
27 to enforce the provisions of this act and shall return said
28 certificates to the office from which they were issued
29 within two days after the date of the termination of the
30 employment of said children. If the educational certifi-
31 cate of any child who is over sixteen and under twenty-
32 one years of age fails to show that said child possesses
33 the educational qualifications enumerated in section one
34 of chapter forty-four of the Revised Laws, as amended,
35 then no person shall employ such child while a public
36 evening school is maintained in the city or town in which
37 the child resides, unless such child is a regular attend-
38 ant at such evening school or at a day school, and pre-
39 sents to his employer each week a school record of such
40 attendance. When such record shows unexcused ab-
41 sences, such attendance shall be deemed to be irregular
42 and insufficient. The person authorized to issue edu-
43 cational certificates, or teachers acting under his author-
44 ity, may, however, excuse justifiable absence. Whoever

45 employs a child in violation of the provisions of this
46 section shall forfeit not more than one hundred dollars
47 for each offence, to the use of the evening schools of
48 such city or town. A parent, guardian or custodian
49 who permits a child to be employed in violation of the
50 provisions of this section shall forfeit not more than
51 twenty dollars, to the use of the evening schools of such
52 city or town.

1 SECTION 5. Section four of chapter forty-three of
2 the Revised Laws as amended by section three of chapter
3 three hundred and sixty-eight of the acts of the year
4 nineteen hundred and twelve, and by chapter three
5 hundred and fifty-six of the acts of the year nineteen
6 hundred and thirteen, is hereby further amended by
7 striking out the word "fifteen", and inserting in place
8 thereof the word:—seventeen,—in the paragraph
9 headed "first", and also striking out the word "four-
10 teen", in the same paragraph, and inserting in place
11 thereof the word:—sixteen,—so that the said paragraph
12 will read as follows:—

13 *First.* The number of persons between the ages of
14 five and seventeen years, and the number of persons
15 between the ages of seven and sixteen years, residing in
16 the town (or city), according to the school census taken
17 on the first day of September, last preceding the date
18 of this certificate.