

HOUSE No. 2476

The Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, May 15, 1913.

The committee on Street Railways, to whom was referred the petition (accompanied by bill, House, No. 588) of the Massachusetts State Branch of the American Federation of Labor for legislation to provide that the workday of motormen and conductors shall be not more than nine hours in eleven; and the petition (accompanied by bill, House, No. 1373) of Joseph J. Benson for legislation relative to the hours of labor of employees of street railway companies, report the accompanying bill.

For the committee,

WILLIAM S. DUNCAN.

Messrs. WASHBURN of Worcester, ROBINSON of Chelsea, WORRALL of Attleborough, HENEBERY of Worcester, STEVENS of Marblehead and DOUGLAS of Boston, of the House, dissent.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Thirteen.

AN ACT

Relative to the Hours of Labor of Employees of Street Railway Companies.

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. Chapter five hundred and thirty-three of
2 the acts of the year nineteen hundred and twelve is hereby
3 repealed, and the work of all conductors, guards, motor-
4 men, brakemen and gatemen who are employed by or on
5 behalf of a street railway or elevated railway company
6 shall be arranged as provided in this act.

1 SECTION 2. A day's work for all conductors, guards,
2 motormen, brakemen and gatemen shall be arranged by
3 the employer upon the basis of nine hours' platform work:
4 *provided, however,* that if it is impossible in any case,
5 owing to the length of trips, to arrange a day's work so
6 that it shall consist of exactly nine hours' platform work
7 and it is possible to arrange it so as to consist of not more
8 than nine and one half hours' platform work the day's
9 work shall be so arranged, but the platform time above the
10 nine hours shall be paid for as an addition to the nine

11 hours' work. As many days' work of approximately nine
12 hours for conductors, guards, motormen, brakemen and
13 gatemen shall be arranged to be performed within twelve
14 consecutive hours as it is possible to do in view of the
15 number and hours of the trips which are required to be
16 run to properly care for the requirements of the traffic:
17 *provided, however*, that so far as it is not possible in view
18 of the traffic requirements to so arrange the day's work
19 it shall be arranged to be performed within fourteen con-
20 secutive hours. If in the opinion of a majority of the
21 employees of any railway company, or of any rating sta-
22 tion or division thereof, it is possible to increase the num-
23 ber of days' work to be performed within twelve hours
24 such employees may appoint a committee of three of their
25 number to co-operate with the railway company in an
26 endeavor to so arrange the days' work as to accomplish
27 that result. If such committee and the company are un-
28 able to agree the matter in dispute shall, upon the appli-
29 cation of either party, be referred to the board of railroad
30 commissioners. It shall be the duty of said board to
31 determine whether or not, in view of the number and
32 hours of the trips which the company runs, it is possible
33 to arrange a greater proportion of the days' work to be
34 performed within twelve hours than has been done by the
35 company, and if so to what extent. The decision of the
36 majority of said board shall be final.

1 SECTION 3. No officer or agent of any such company
2 shall require from said employees more than nine hours'
3 platform work for a day's labor except as herein expressly
4 provided. Threat of loss of employment or threat to
5 obstruct or prevent the obtaining of employment by the
6 employees, or threat to refrain from employing any em-
7 ployee in the future shall be considered coercion and

8 "requiring" within the meaning of this section. On
9 legal holidays and on Sundays and in case of unavoidable
10 delay or other emergency, extra labor may be performed
11 for extra compensation. A company which violates the
12 provisions of this act shall forfeit for each offence not less
13 than one hundred nor more than five hundred dollars.

1 SECTION 4. This act shall not affect any written con-
2 tract existing at the date of its passage.

1 SECTION 5. This act shall take effect on the first day
2 of October, nineteen hundred and thirteen.