

# HOUSE . . . . No. 247

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Bill accompanying the petition of John Weaver Sherman and others for legislation to constitute eight hours a day's work for public employees. Labor. January 17.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Ten.

### AN ACT

To constitute Eight Hours a Day's Work for Public Employees.

*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. The service of all laborers, workmen and  
2 mechanics, now or hereafter employed by the common-  
3 wealth or by any county therein or by any city or town  
4 which has accepted the provisions of section twenty of  
5 chapter one hundred and six of the Revised Laws, or by  
6 any contractor or sub-contractor for or upon any public  
7 works of the commonwealth or of any county therein or  
8 of any such city or town, is hereby restricted to eight  
9 hours in any one calendar day, and it shall be unlawful  
10 for any officer of the commonwealth or of any county

11 therein, or of any such city or town, or for any such con-  
12 tractor or sub-contractor or other person whose duty it  
13 shall be to employ, direct or control the service of such  
14 laborers, workmen or mechanics to require or permit any  
15 such laborer, workman or mechanic to work more than  
16 eight hours in any one calendar day, except in cases of  
17 extraordinary emergency. Danger to property, life, pub-  
18 lic safety or public health only shall be considered cases  
19 of extraordinary emergency within the meaning of this  
20 section. In cases where a Saturday half holiday is given  
21 the hours of labor upon the other working days of the  
22 week may be increased sufficiently to make a total of  
23 forty-eight hours for the week's work. Threat of loss of  
24 employment or to obstruct or prevent the obtaining of em-  
25 ployment or to refrain from employing in the future,  
26 shall each be considered to be "requiring" within the  
27 meaning of this section. Engineers shall be regarded as  
28 mechanics within the meaning of this act.

1 SECTION 2. Every contract, excluding contracts for  
2 the purchase of material or supplies, to which the com-  
3 monwealth or any county therein or any city or town  
4 which has accepted the provisions of section twenty of  
5 chapter one hundred and six of the Revised Laws, is a  
6 party which may involve the employment of laborers,  
7 workmen or mechanics shall contain a stipulation that no  
8 laborer, workman or mechanic working within this com-  
9 monwealth, in the employ of the contractor, sub-contrac-  
10 tor or other person doing or contracting to do the whole  
11 or a part of the work contemplated by the contractor  
12 shall be requested or required to work more than eight  
13 hours in any one calendar day, and every such contract  
14 which does not contain this stipulation shall be null and  
15 void.

1 SECTION 3. Any agent or official of the commonwealth  
2 or of any county therein or of any city or town or any  
3 contractor or sub-contractor or any agent or person acting  
4 on behalf of any contractor or sub-contractor who violates  
5 any provision of this act shall be punished by a fine not  
6 exceeding one thousand dollars or by imprisonment for  
7 six months or both such fine and imprisonment for each  
8 offence.

1 SECTION 4. This act shall not apply to the prepara-  
2 tion, printing, shipment and delivery of ballots to be used  
3 at a caucus, primary, state, city or town election, nor dur-  
4 ing the sessions of the general court to persons employed  
5 in legislative printing or binding; nor shall it apply at  
6 any time to persons employed in any state, county or  
7 municipal institution, on a farm, or in the care of the  
8 grounds, in the stable, in the domestic or kitchen and  
9 dining-room service or in store rooms and offices.

1 SECTION 5. At any trial arising under the provisions  
2 of this act, evidence that laborers, workmen or mechanics  
3 have worked or are working over eight hours in any one  
4 calendar day shall be prima facie evidence of the viola-  
5 tion of the provisions of this act.

1 SECTION 6. All laws, acts and parts of acts inconsis-  
2 tent herewith are hereby repealed.

1 SECTION 7. This act shall take effect upon its passage.

