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LEGAL RECOGNITION
of
INDUSTRIAL WOMEN

by

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and

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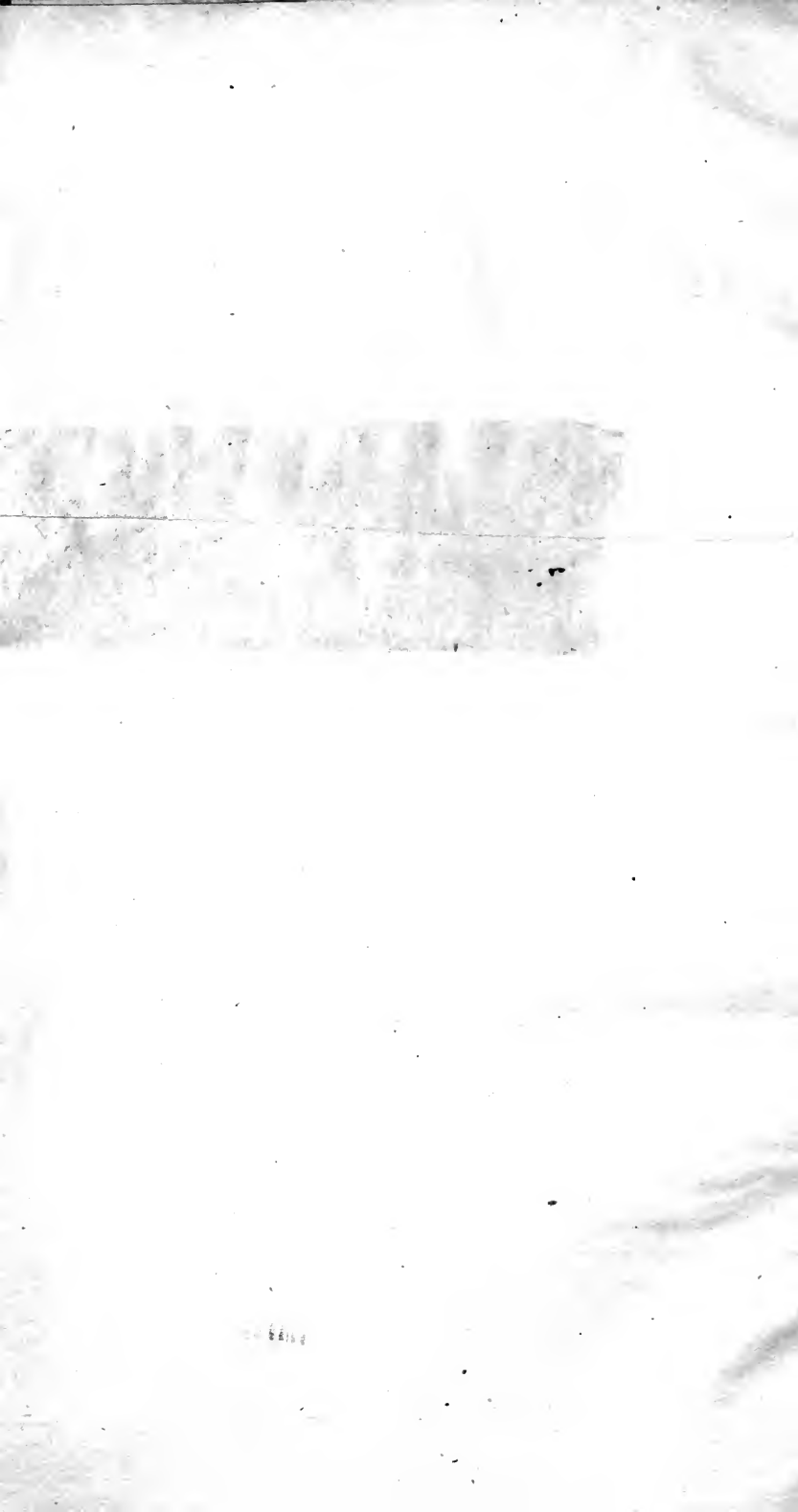
Issued by the Industrial Committee,
War Work Council of the National Board
Young Womens Christian Associations
600 Lexington Avenue, New York City

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TO VNU
ABSTRACTS

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**TO YOU
WOMEN IN INDUSTRY
WE DEDICATE THIS LITTLE BOOK**

Together we have striven to solve our common social and industrial problems. Together we accept the responsibility the great war has placed upon us as creative factors in the new democracy. Together we hope to attain to a higher standard for the future of our common womanhood.

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LEGAL RECOGNITION OF INDUSTRIAL WOMEN

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Foreword

THE Industrial Committee has had repeated calls for a simple text discussing briefly the problems involved in woman labor and the various legal remedies which have been devised for meeting these problems, giving some idea of what the laws should contain and what would be their desired effect. This pamphlet is offered in response to those calls.

While the authors have striven in the main for a simple and direct presentation of the subject, having in mind the primary purpose to which the book is dedicated—use among industrial women—they have also had in mind the varied sources of the call for the book. Wherever it was possible to meet the needs of college student, business man, club woman, social worker or others without detracting from usefulness for industrial women we have felt it was wise to fit the text to the broader use.

In the preparation of this pamphlet Mr. Trent of Indiana University and of the Indianapolis Chamber of Commerce has given most generously of his time and labor in an editorial capacity—this in addition to permitting liberal and unquoted use of extracts of his war time pamphlet on Women in Industry. We take this opportunity to make grateful acknowledgment of the cooperation Mr. Trent has so cordially extended to the Y. W. C. A. and to observe that his joint authorship seems to us indicative of new hope for the cause of women in industry and therefore for industry as a whole. Business man and university professor, he joins with the responsible leadership of Christian womanhood in our nation to set down as clearly as possible their mutual convictions regarding a just and Christian use of woman labor—not alone because it is *woman* labor but because of a mutual concern for woman as a new factor in the world of industry, that world whose after-war unrest is so deep-rooted and today so vitally concerns all nations. By such contributions is the thought and feeling of today crystallized and made a stepping stone to the justice and progress of tomorrow.

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Preface

THE modern industrial system presents no graver aspect than its almost remorseless and insatiable demand for the time, strength and skill of women workers. Into factories and stores women have gone of late in such numbers, and with such consequences, as to compel public attention and public concern. To set forth the bases of this concern and the practical measures which are gradually being taken or ought to be taken to give expression to it, is the primary purpose of the pages which follow.

For many years students of economics, theorists in the field of industrial enterprise, have warned the public that our women were not receiving the protection which their welfare and the general wellbeing of society demanded. Long hours, lack of rest periods, low wages, unsanitary conditions, and over-time were pointed out as costly privileges in a *laissez faire* system of economics, and public action in woman's behalf was advised and even urged.

Later the physician and neurologist began to support this position of the economist. The effect of modern industrial processes was studied scientifically. Fatigue was connected with and related to efficiency in no uncertain manner; so that the humanitarianism of the economist and sociologist was reinforced by the practical advice of the medical specialist.

Last of all the intelligent employer has added the weight of his testimony to that of the economist and the doctor. The employer has tried shorter hours, adequate wages, more wholesome conditions, rest periods, and the like; and, how strange! They *pay*. Hence the legal recognition of industrial women has come as a matter of slow but sure progress, supported by the best theory and by actual results in an ever-increasing number of establishments employing women.

For years I have felt more and more keenly that we all of

us are responsible for whatever social injustice characterizes our industrial life, but the lot of our women workers has seemed to me particularly needful of improvement. In an effort to set forth the need and the responsibility, Indiana University last year published my bulletin on Women in Industry. This pamphlet having gone out of print, it has seemed to me both a pleasure and an opportunity for national service to join with Miss Lattimore in a further attempt to make clear the legal ways in which society may begin to mend whatever needs mending in the industrial life of to-day.

RAY S. TRENT.

Indianapolis, June 12, 1919.

Introduction

American Industry and Woman Labor

DURING the ~~last quarter of a century~~ great changes have taken place in America's industrial and social life. The country has been phenomenally prosperous. Nearly two hundred million acres of newly cultivated land have been added to our farms so that the farm land of the country is now worth more than three times as much as it was. During the same period the value of our manufactures has increased until it is twice that of the farms—an increase of from three to eighteen billion dollars in value. And ~~although the population has not~~ ^{thus} ~~doubled the number of wage earners has more than~~ doubled.

Thus we see what has happened—the rapid growth in manufacturing has created a great need for workers, and since the population has not increased fast enough to supply these workers from the men, women who were not wage earners before have been recruited into industrial work. This increase in the number of women in industry and their entrance upon kinds of work which they have never done before ~~has~~ created economic and social problems that had not been solved when the war came.

The changes in economic life which took place between 1880 and 1910, however great and numerous as they were, can hardly be compared to the upheavals of the four years which have intervened since August, 1914. Viewed superficially, the great war seems to have broken every precedent, shattered every tradition, and destroyed every so-called law. Private enterprise, private property, and personal liberty seem to have vanished, and in their stead have come public regulation, public ownership, public control.

While the war brought many new and intricate problems, in reality it precipitated progress in a number of ways. Our dream of national prohibition is being realized—woman suffrage is vindicating itself in the down-trodden races of Europe and has become one of the “common-places of the practically-minded, everyday citizen.”

Into trade and transportation and into manufacturing and mechanical pursuits, woman's entrance has been comparatively recent; and her crowding into these occupations is going on at a greatly accelerated rate.

In all European countries the world war has already called into industry millions of women who might otherwise not have

been engaged as breadwinners; and certain it is that many industrial operations and processes which, but for this war, would still be carried on by men, are today wholly dependent upon female laborers. In the United States likewise the war has greatly increased the demand for women workers. What this fresh and irresistible impetus to female breadwinning forebodes, not only for the welfare of women workers in new lines of employment but for society and for civilization, cannot but challenge our deepest concern.

No state will have done her part in this great emergency unless she has not only contributed her women to take the places left vacant by her sons who were on the firing line, but also made the industries of the state safe for these raw recruits of her industrial army. To fail in this would be to fall short of democracy, and to hinder the cause which our country has so unselfishly espoused.

CHAPTER I *contd.*

WOMAN AS A PRODUCER

WOMAN has always worked. Even before the industrial revolution when hand-work became machine work and industries left the home for the factory upon the introduction of power-driven machinery, woman had always to earn her keep. Only her maternal function and her inferior physical strength made her different from man in this regard; and in the early stages of human development, even these distinctions were reduced to the minimum.¹¹ In fact, the primitive woman had to bear the brunt of providing for her offspring and not infrequently for a worthless man in addition. Certain it is that nature has made woman the original provider, a position which she must have held with little competition until a comparatively advanced economic and social stage.

1. *Woman's work in the herdsman stage.* When mankind had passed from the savage stage, wherein he appropriated directly the gifts of nature but exercised little or no intelligent control over his surroundings, to the pastoral stage, wherein his wealth consisted largely of flocks and herds, woman still held a position of great economic importance. Hers was the task of watering the flocks, and even of tending them, of preparing the skins for clothing and the flesh for food.

2. *Woman's work in the agricultural stage.* Likewise in the agricultural stage, woman was a producer. In certain backward communities even today women plow and plant, hoe and reap. In fact, they often do these things in order to provide food and clothing for a husband as well as for children. Gardening, caring for the chickens and cows, soap-making, spinning, the manufacture of butter and cheese, and weaving, as well as preserving and canning, have always been woman's work. In no stage of economic development have women confined their economic activities within the four walls of a house.

The slightest familiarity with life on the farm of fifty years ago or even less is convincing as to the economic status of women. It would be difficult to name an activity on such farms with which women were not associated. Was it haying or harvesting or threshing? The women carried the water to the "hands" and cooked their meals. Was it hog-killing? The women rendered the lard or ground the sausage. Was it sorghum-making or corn-planting? Women and girls stripped the cane or dropped the grains of corn into the open furrow. Not a moment of the time of the pioneer woman was or could have been given over to pink teas. The economy of each household assigned to her a position of economic importance second to none. In fact, the endlessness of her tasks has been immortalized in the rhyme:

"Man works from sun to sun, (1)
But woman's work is never done."

Household manufacture. The importance of household manufacture, which one writer makes to include all those articles now made in factories but formerly made in the home and on the plantation from raw material produced largely on the farm where the manufacturing was done, is thus set forth in its relation to our early colonial and national history:

"The almost economic independence of many homes and communities was a great asset to the people of the Revolutionary days in their struggle for political liberty. War and blockade only drove them back to more primitive conditions and established an industrial independence of both foreign and domestic markets. After seven years of costly warfare, England finally realized the difficulty of conquering colonists who could within their homes manufacture the necessities that her blockade aimed to keep out. The service rendered by this family industry during the Revolutionary War is the more significant when contrasted with what the South attempted through it during the Civil War. In spite of its reversion to the primitive ways of supplying necessities, the Confederacy was unable to escape what the federal blockade brought.

"Aside from the part played by the system of household manufactures during the Revolution in securing and maintaining

an industrial independence, it was of very great moment to the nation at large in its early history as a supplement to agriculture—of necessity the prevailing industry in a new country. Without a European market, or in fact any market at all, agricultural profits were always very small. This was especially true on the frontier and in all sections devoid of transportation facilities, because there were so many farmers, hence a small number depending on others for their agricultural products. The fertility of the soil also gave a liberal return for the work involved. Since there was no market for the labor of the field, the farmer had to exchange his leisure hours for a supply of clothing and other necessities which he could have purchased if he had had a market for his staples. Until this market came his dependence upon the household factory was almost absolute. It is certainly no exaggeration to say that civilization could not have been maintained in sections of the New England and middle states during the colonial period, and on the frontier everywhere for several years after the appearance of the first settlement, without the system of household manufactures.”

Thus by inference we come to the appreciation of woman's part in the economic life of the early days, for “household manufacture” was carried on very largely, though not entirely, by the women of the household. The men produced the raw material, but the women “manufactured” it. If the boys and men made plows, harrows, ox yokes, sleds, butter-paddles, bread troughs, and the like, it was the women and girls who were taught to spin, weave, knit, crochet, darn, patch, quilt, do laundry work, make butter and cheese and candles, and to perform many other important household tasks. The point is, that under such conditions as obtained when the United States was young, each member of the household was of necessity of some importance as a producer.

20 h
Leisure is socially expensive. Woman as a sex has never been an economic parasite. She has always earned her living and produced at least as much as she has consumed. The woman of leisure is as rare as she is expensive. Society could not afford many of them at a time. *small* They cost too much. In fact, few idlers of either sex are possible in a society which carries on little trade and in which each person must confine his consumption of

economic goods to the things which he or his family have themselves produced.

omit **Leisure associated with surplus.** For this reason the woman of leisure is associated usually either with the institution of slavery or with the high productivity of human effort. Our own country furnishes an excellent example of each. The leisure of the Old South was due largely to the fact that slaves could be made to produce enough for themselves and for their masters and mistresses as well. But as a means of supporting a leisure class, the factory system has proved far superior to slavery. With the introduction of machinery, the application of mechanical power, a better organization of working forces, and the simultaneous opening up of rich natural resources in the Western Hemisphere, one factory worker has been enabled to produce many times what he could formerly have produced. This surplus has gone largely to the factory owners and has been used to support their wives in leisure.

Such a surplus, it is clear, could hardly arise in any case except among people who possess abundant natural wealth, such as fertile lands, vast mineral resources, extensive forests and the like, and who have in addition an economic system whereby some workers are denied the full product of their labor. We may confidently expect, therefore, that the gradual exhaustion of our natural resources and the constant effort to increase the share of the social product which goes to the laborers will eventually force an increasing number of women out of the leisure class into the ranks of the breadwinners.

Acsh **Woman's work and the industrial revolution.** The effect of the industrial revolution upon the female breadwinner may be considered from two points of view. From the standpoint of technique, woman was forced to acquaint herself with new tasks and unfamiliar processes. Her unaccustomed ears and nerves were subjected to the deafening roar and grind of heavy machinery from early dawn until late at night. Her pace was set by no will of her own, but by the inexorable and monotonous motions of a thing that turned and thumped and rattled on in pitiless unconcern for her pleasures or for her welfare.

From the standpoint of product or economic return, woman

was often forced to adopt the starvation route to a job. Her reward was frequently insufficient for either decent clothing or wholesome food. So great was her helplessness in the new industrial order that she was sometimes forced to perform the services usually assigned to the donkey or the ox.

The factory system. The economic status of woman during the industrial revolution has been influenced if not determined by the rise of the factory system of production. Once water and steam had begun to take the place of human muscle, the tasks of the farm and of the fireside began to pass to the factory, and the workers in the fields and households of the village and countryside found themselves without means of support or livelihood. Since they had no claims on the efforts of others, by means of which they could live in idleness, they were compelled to follow their work to the factory and there to produce largely by machine processes what formerly they had produced by hand.

Drift of population from country to city. Meanwhile agricultural methods were changing and machinery was supplanting the simple tools of the pioneer farmer. The self-binding reaper took the place of the sickle and the cradle, the mowing machine succeeded the scythe, and the gang plow bid for recognition in the face of the bull-tongue and the "double shovel." It so happened, however, in most cases that the improved agricultural machinery was ill adapted for use by women. Hence the demand for men in agriculture was given an impetus, the consequences of which have been most interesting.

At the same time, then, that woman's task was being taken over principally by the factory, the farm was employing machinery which made woman's economic position in the country still less secure. Caught between these two fires, women were driven into the industrial ranks by the thousands. The effect has been not only to decrease the rural population, but also to make it predominantly male.

This movement was accelerated by the growth of improved methods of transportation and by the increase of commerce. In fact, the fabrication of goods in huge factories and their distribution to many quarters by many hands over elaborate trans-

portation systems is, on its technical side, the factory system of production, a system which has resulted, among other things, in a serious diminution of rural population and in a constant drift toward the factory town and the city.

Meanwhile the owners of the factories were not unaware of the great gains possible for them through the use of this labor force which was being remorselessly dumped at their doors. Consequently, while farm machinery was forcing women away from the farm, labor agents and obliging landlords were preparing for these helpless workers a warm reception in the city. As a consequence of unemployment in the country and of greatly increased demands for factory workers, congestion in cities multiplied rapidly; until, under the capitalistic philosophy of the times, intolerable social conditions arose.

The lot of the female factory worker. At first the demand of the factory system for cheap labor was so uncontrolled that women and children were placed in charge of machines and kept there with practically no rest or change of work for twelve and even fourteen and fifteen hours a day; but what was worse still, thousands of children and young girls could be seen in the dawn of early morning returning with haggard faces to their cheerless homes, there to snatch a bite of cold food and drop upon the floor or upon a bed from which some other member of the household had just arisen. Under such conditions they attempted to store up, if possible, the energy which would be required during the next night's equally grinding and bitter toil.

Such employment of women was not only permitted but actually encouraged by the change in technique. Machinery was consciously designed in order that employers might take advantage of this abundant and therefore cheap supply of labor. The factory owner, however, was not more guilty for this condition of affairs than were the politicians and public servants of that day. Everyone seemed to hold without question to the economic and political theory of non-control, let-alone, or *laissez faire*, as they called it. It was the dominance of this philosophy in industry which, more than anything else, perhaps was responsible for the condition of female breadwinners during the early industrial stage of economic development.

Regulating the employment of women workers. Gradually, of course, this state of affairs was changed. The female constitution could not stand such conditions, and much less could they be endured by the children. Hence, men like the seventh Earl of Shaftesbury came to see that the interests of society absolutely required some protection for these classes of workers. The welfare of society dictated it and the helplessness of women and children in industry implored it. As a result of the growth of this opinion in England, Parliament after 1800 passed a number of bills which came to be known as the "Factory Acts," each adding something to its predecessor, until before the nineteenth century had ended England had swung far away from her original theory of *laissez faire* and had adopted the policy of social control to the extent of attempting to humanize and render tolerable the conditions of women and children in industry.

Low-paid labor not necessarily economical labor. This movement, which was so characteristic of England's industrial development during the nineteenth century, and which has within the last quarter of a century or more marked our own economic history, was dictated not only by social justice but by self-interest as well. The demand for cheap labor overstepped itself, until cheap labor finally became dear labor because of the inefficiency of the workers. A child dropping asleep over a knitting machine may become a very expensive worker. After some years of experience with such conditions, employers found that though they were paying a very low wage per day, they were actually paying dearly for the product per worker which their employes were able to produce. Hence the more enlightened employers joined with the men of social sympathies and larger vision in helping to make the Factory Acts possible.

can **Protection of women is still developing.** That this movement for the protection of female workers in industry has not kept pace with the need for it may be readily admitted. Nevertheless it is gratifying to know that the movement has not ceased, but on the contrary that it is more popular today than ever before. Great Britain alone has done more since the outbreak of the great war to protect her female workers than she had ever been able to do in the years preceding the war. She

has done this because she has become convinced that otherwise not only her industries but the vitality of the whole national life would suffer seriously. The need, to be sure, has been greater; but the response of the nation to that need has been greater still. In our own country, as we shall see in a later chapter, the agitation constantly goes forward. Inch by inch, the front line of woman's economic rights and privileges in our present industrial order is pushed forward.

CHAPTER II

PREVALENCE OF WOMEN IN INDUSTRY

IN the United States.—In all sections of the United States the number of women in industry has been constantly increasing so that in certain sections, even so long ago as 1910, approximately one woman in every five over ten years of age was employed; this was true in the New-England, the South Atlantic and the East South Central states. In the mountain states one in every six was employed. In twenty-four states from ten to twenty were employed out of every hundred, while in two states practically half the women were bread-winners.

One tenth of these bread-winners were under sixteen years of age. In other states, also, in 1910 every tenth child between ten and sixteen years of age was at work. Thus, we can realize the need for legislation which will make it impossible to employ children, and so to injure human manhood and womanhood. How many children of this age are working in your state? In your city?

In the United States as a whole, wage-earning is most common (1) among girls sixteen to twenty years of age, and (2) among women twenty-one to forty-four years of age, in the proportion of eight to five. In 1910 bread-winning was on the increase for every age, even for children under fifteen years of age. The typical female bread-winner is a young girl still in her teens or very early twenties. It is out of this condition that many of the problems of women in industry arise. Bread-winning is very frequently a makeshift until the event of marriage. But the marked increase in the number of wage earners shows that bread-winning is evidently becoming more and more not a woman's pastime, but a woman's steady job.

Causes of the increase in wage-earning women. For this increase in the percentage of women who are engaged in gainful occupations, several causes might be noted. Perhaps the most important are the growing use of the machine process and the

more minute division of labor. In other words, the growing prevalence of women in industry is characteristic of the expansion of what has come to be known as capitalism. Knitting, sewing, canning, preserving, baking, washing, ironing,—these and many other domestic processes have been taken out of the home and are now performed by machinery in especially equipped plants. Nor is the factory process a single one. Division of labor and standardization of operations, also characteristic of modern machine methods of production, have separated most productive processes into numerous distinct operations, to many of which women may be assigned more economically than men can be assigned.

3 Industrial depression and strikes have accomplished similar results. These abnormal industrial conditions have furnished the occasion for the temporary employment of women; and frequently the connection of women with a given occupation becomes permanent. So long as factory production continues to supplant domestic production, there will be latent female labor power which must be employed in the various gainful occupations; and once women gain a foothold in any process, they are likely to become permanently attached thereto.

Thus the prevalence of women in industry has thrust upon society a new problem. The change from domestic manufacture to large-scale industry and the machine process is a matter of no small concern; nor should it be. The percentage of female wage-earners is increasing, household production is almost a thing of the past. Something must be done to meet the changed conditions and to prevent irreparable social harm.

(*) War also has been a potent cause of women's going into industry. The war between the states, 1861-1865, caused an abnormal drop in the supply of male laborers. *as did the more recent* The result was that women were called upon to carry on the work which the men had abandoned.

More recently the entrance of the United States into the world war brought to America the same problem that Great Britain and France were then confronting—shortage of man-labor and an unparalleled demand for production of both ordinary and extraordinary kinds.

In Great Britain the number of women employed after the outbreak of the war increased 1,240,000, or nearly 38 per cent;

says a bulletin issued by the Bureau of Labor at Washington. This gives some indication of the changes which war brings about in the industrial field. It is not surprising, of course, that the recent war should create an abnormal demand for industrial workers at the time when men were being pulled out of industry by the millions. This was a war of goods, of shot and shell, bomb and torpedo, quite as much as a war of men. In fact, it eclipsed all records heretofore set for the demands made upon industry.

Women rushed in large numbers—no one knows just how large—into industry. Wives, mothers, and sisters of soldiers were forced to bear the burden of family support. Fifteen dollars a month, half a private's pay—the usual private soldier's allotment for the dependent at home—merely represents the minimum living wage of a single person for one week. It therefore represents one quarter of the monthly living minimum for the soldier's dependent herself. The usual ten dollar monthly allowance made by the Government, bringing the family income up to twenty-five dollars a month, was less than one-half the living monthly wage for one person, and the addition of five dollars a month for each child helped matters little.

To avoid dependency and pauperism the women of the country rallied to the emergency with patriotic fervor, seeking occupation anywhere and everywhere, in munition plants, in factories, in transportation, in business, in part-time work, such as waitresses in restaurants, working while their babies slept, anywhere where work could be had.

CHAPTER III

WHY WOMEN WORK

WOMEN always an economic asset. In olden times no one asked why women cooked and baked; spun and wove, sewed and patched, knitted and darned, washed and ironed, milked and churned. No explanation was ever deemed necessary. Why did women do these things? What a question! Had they not always done them? Long before she could remember had not her sex been assigned these household tasks, while her mate went into the forest to hunt, or to the battlefield to fight? Surely the cooking and the sewing and the washing had to be done and women had to do them. It was her way of contributing to the family income. No one questions the validity of the economic incentive that lay back of the daily toil of the wife of the American pioneer, or that lies back of the labor of the average farmer's wife today. Plainly such women have worked and continue to work because mouths must be fed and backs must be clothed.

The "pin-money" theory. When, however, women begin to seek employment outside their own homes, especially in stores and factories and offices,—when, in short, woman passes from breadmaker to breadwinner,—the novelty must be explained; and instead of seeking and accepting the most obvious explanation possible, some false hypothesis is hastily constructed and as promptly believed. Such an answer to the query, "Why do women work?" is found in the "pin-money" theory. Young girls, in particular, who are supposed to live under the parental roof and to be provided for by their parents, are said to stand behind counters measuring ribbons and laces for nine, ten, twelve hours a day for the sake merely of a little spending money,—a movie, perhaps, or a new spring bonnet, or a gown like Clara's whose father owns half the town. Or perhaps she works ten hours a day at weaving baskets,—30 dozen a day, if

she is very fast,—for which she is paid 60 cents. This work is very fatiguing, since the girls are required to stand the entire time, and are constantly stooping for their materials.

The “pin-money” theory will hardly explain such cases as these, and they are typical, too. Even a cursory examination into the matter reveals the fact that the marginal utility of the worker’s dollar,—that is its importance to her,—is far more than the “pin-money” explanation suggests. Girls who sew on 27,000 glove-fingers a week, receiving a wage of \$5 therefor, will not ordinarily indulge heavily in ice cream sodas and chewing gum; each dollar, each nickel, in fact, is too dear.

Thus it appears inherently improbable that even young girls who live at home work for “pin-money.” That widows, divorcees, women living alone, and married women living with other relatives or boarding should become breadwinners for the same reason is, of course, preposterous. What, however, are the facts bearing on this question?

A recent report¹ on this subject shows that in a group of 1,698 women employed in department and other retail stores in seven principal cities in the United States, 26.1 per cent were without homes and entirely dependent upon their own earnings, and that of those living at home 68.5 per cent contributed all of their earnings toward the family support. In a similar group of 5,014 women employed in mills and factories in the same cities, 17.5 per cent were without homes and dependent upon their own earnings; and among those living at home, 77.2 per cent turned in all of their earnings to the family. Girls 16 years of age and over, at work in cotton, men’s ready-made clothing, glass, and silk industries, have been found to contribute from 86 to 97 per cent of their total earnings to their families; and such contributions were found to comprise, in the glass industry, 27 per cent of the total family income; in the clothing industry, 40 per cent; in the silk industry, 35 per cent; and in the New England cotton industry, 43 per cent.

An investigation lately conducted in Connecticut revealed the same conditions. Of the female employes investigated, 90.9 per cent were found to be living at home, and in practically

¹ Bulletin of the U. S. Bureau of Labor Statistics whole number 175.

every case these workers contributed to the family income.² In Massachusetts, only 1.2 per cent of female candy workers were found to contribute nothing toward the family income; while 20.3 per cent supported the home with part of their wages and 78.5 per cent gave their entire income to their families.³

Official estimates of the proportion of family incomes contributed by female children 16 years of age and over range from 27 to 43 per cent. This is income, too, which such families need and which they cannot afford to lose. It is certainly not "pin-money" and the fact that 40 per cent of such girls are wage-earners cannot be explained on the "pin-money" basis.

Women must work. Here, then, is the real reason why women are becoming breadwinners in ever-increasing numbers. Frankly, *they work because they must*. Domestic employment has been taken away from woman and institutionalized. Hence, in order to add to the family income, or to keep herself and dependents from want, woman must either follow her task into the factory and workshop or find other means of economic employment. Even the young woman who lives at home, and whose breadwinning is most likely to be explained on the "pin-money" theory, works because of keen necessity. In her case, in fact, matters are frequently far worse than if she were living entirely alone. Economically, family is to her, not a help, but a hindrance; for instead of being subsidized by the home (according to the "pin-money" explanation), probably 75 to 80 per cent of working-girls contribute their entire income to their families, getting back but a small fraction for themselves. Such girls would have more money to spend in the satisfaction of their own needs if they were entirely adrift and had no family ties or obligations whatsoever.

The many investigations of the condition of women in industry show a remarkable agreement on this question as to why women work. The conclusion of the whole matter is admirably stated by the United States Census in the following words:

"Probably few women take up remunerative occupations who are so situated that they can live comfortably without it.

² Survey 33:684.

³ Report of Mass. Commission on Minimum Wage Boards, Jan., 1912, p. 79.

It is the necessity of supporting themselves wholly or in part, and perhaps contributing to the support of those dependent upon them, that is usually the impelling motive."

This is a condition which society must face squarely. In it are problems, possibilities for both good and ill, which cannot be settled by resentment, by indifference, or by wilful misunderstanding. Only a sympathetic knowledge of the truth and a keen appreciation of the economic and social forces now at work in our society will lead, can lead, to a clear perception and adequate comprehension of woman's new venture in the field of organized industry. For correct thinking on this subject, a basic proposition would seem to be that woman is a breadwinner because of necessity,—a necessity frequently quite as great as that which rests upon her brother man.

CHAPTER IV

WOMAN'S PLACE IN THE WORLD OF LABOR

WHAT is woman's work? In 1910 there were 8,075,772 women breadwinners in the United States. This number is estimated to have increased to over eleven millions during the war when one woman out of every four over ten years of age must have been working. Forty years ago among women breadwinners, four out of every ten (44.6%) were in domestic and personal service, two in every ten (23.8%) in manufacturing and mechanical pursuits, two in ten (22.5%) in agriculture while less than one in ten was employed in trade and transportation or in the professions.

During the thirty years preceding 1910, the proportion of women engaged in agriculture scarcely changed, the proportion entering the professions increased nearly one-fourth, the proportion engaged in manufacturing and mechanical pursuits decreased slightly, the proportion rendering domestic and personal services declined over one-quarter and the proportion engaged in trade and transportation increased five times. To illustrate this last change in 1910, there were approximately 1,203,290 women in the United States working in street railway, railroad, telephone, telegraph and express companies, elevator service, etc.—all comparatively new trades for women, as opposed to 171,000 thus occupied forty years earlier.

It is interesting to follow the tendency of women to open and pass through an increasing number of hitherto closed industrial doors. Up to 1910 the number of women among workers on cotton goods, men's and women's clothing, hosiery and knit goods had not increased. On the other hand there had been a one-fourth increase in the number of women engaged in tobacco manufacture, in canning and preserving, in awning, tent and sail making, and in leather goods, and there has been a one-third increase of female workers in copper, tin and sheet iron products, and in making of electrical machinery.

The boundaries of woman's activity are constantly enlarging. From these facts the obvious conclusion is that "woman's work," so far as the breadwinners are concerned is no longer confined to those operations usually designated as domestic. Such work now engages less than one-third of all female breadwinners, and the proportion is constantly decreasing. Even if agriculture be included as "woman's work," there still remains 45 per cent of the female wage-earners to be accounted for; and at the present rate of change, this large minority will soon be converted into a majority.

The old boundaries which hitherto have narrowly defined woman's sphere are breaking down. A 1914 report⁴ shows that in a list of over four hundred occupations there are only thirty-nine in which women are not included.

A New York commission reported in 1912 that the only industries of any consequence in New York which did not employ women were the manufacture of bricks, tiles, fertilizers, and ice.

Woman's work and man's overlap. Thus woman's work and man's overlap in more than 90 per cent of the occupations. In many kinds of work the number of women is small, but in most of them it is growing. Women are earning their daily bread as civil engineers and surveyors; as inventors; as architects; as editors and reporters; as landscape gardeners; as wood-choppers and tie cutters; as forewomen, overseers, and operatives of mines; as blacksmiths, electricians, glassblowers, and the like; as chauffeurs, freight agents, and express messengers. These are but a few of the scores of non-domestic occupations in which women are at present engaged, and new occupations are opening to them almost daily.

The world's work is woman's work. With the outbreak of the war, the extension of the employment of women became imperative in all the belligerent countries. Not many additional lines of work have been taken up by women, to be sure, since women were already to be found to some extent in almost every kind of work; but women began to crowd into industry (particularly the war industries) in ever-increasing numbers. To

⁴ U. S. Statistical Abstract, 1914, pp. 224-234.

name the non-domestic occupations into which these women have gone would be to name perhaps every line of work necessary for the successful prosecution of the war, the military service not excepted.

The wide distribution of female breadwinners over so many occupations is statistical evidence of the fact that no longer is it true that the home is woman's sole sphere. Preconceived ideas as to woman's place in the world, inherited notions as to woman's fitness or unfitness for certain occupations, man-made standards of propriety,—all are helpless in the face of the powerful economic stress and strain which are an integral part of modern economic and social life. Woman must work, must support herself and her dependents; and in seeking her living, she finds it increasingly difficult to confine her efforts to the home. Woman's sphere is the world, and the world's work is her work, in proportion as she is fitted or fits herself for its satisfactory performance.

To what extent woman should be excluded from certain gainful occupations, what limitations upon her freedom of choice should be recognized and enforced,—these are questions which will be considered in subsequent chapters.

CHAPTER V

ECONOMIC PROBLEMS IN WOMAN'S WORK

REPLACING men. Of recent years there has been much discussion concerning the replacing of men in industrial life by cheaper workers, particularly by women, though sometimes children have been employed for this purpose. However, figures indicate that the large number of women who have gone into industrial occupations in recent years have been an addition to the labor supply rather than substitution for male laborers. It is safe to assume, therefore, that only to a small extent have men been replaced by women in the normal course of industry.

Where it does occur, replacement of men by women is due in the main to two important causes; first, the cheaper wage at which women can ordinarily be had; and, secondly, the peculiar adaptability of women in certain lines of employment. By a better organization of work and a finer division of labor, employers have found it possible to classify the necessary activities in their plants into skilled and unskilled jobs, as well as into tasks requiring heavy muscular effort and tasks requiring principally manual dexterity and skill. As a result of such classification male workers have been assigned to the more highly technical occupations, as well as to those tasks, both skilled and unskilled, which require the greatest muscular effort, leaving to women those processes requiring the least technical training and those requiring deftness of touch and speed. In this way employers have been able to economize in their labor outlay. Hence as a rule, the wages of women have been far less than the wages of male workers. In fact, the possibility of getting women for these tasks at a considerably reduced wage has often been the cause of the division of labor, while the fact that women were offered unskilled jobs long stood as one hindrance to the development of technical training for women.

Such gradual substitution of female labor for male labor as may actually have taken place presents no particularly acute

situation. But the wholesale substitution of women for men in industrial life, such as the world is witnessing today on a scale hitherto unequalled, is likely to present one of the gravest labor problems that the world has ever faced. In fact, the acuteness of the situation thus created would seem to justify in every state a commission for the study of the problem of woman labor and for the making of recommendations to the various state legislatures concerning possible adjustments and regulations that will make of woman's labor an asset to the woman, to industry and to society. Even though the war is ended, the hundreds and hundreds of occupations which women have served in will continue to hold them. Instead, therefore, of making adjustments on the basis of a return to the conditions before the war, it will be necessary to find some way for men and women to work side by side, each supplementing the other, in order to bring about a more efficient industrial life than we have had hitherto. The world's work grows faster than its labor supply, either of men and women.

Equal pay for equal work. When a woman is put at a job which has been held by a man and does the work equally well, it is difficult to see why the wage which had formerly gone to the man is not given to her. The naive explanation that the woman can be had for less is not satisfactory. Suppose she is willing to work for less; is this any reason why she should not have as much as the man receives? In fact, in many of the better industries of the country work is being so arranged that certain jobs pay certain wages and it makes no difference who the worker may be.

As the prejudice against women employes gradually wears away, it would seem but natural that the practice of these intelligent industries should become more general. In fact, this principle will have to be adopted if satisfactory service is to be had from female employes. Equal pay for equal work is the principle which appeals to their sense of fair play and they are not likely to render most efficient service under other conditions. There has been a tendency to pay women far less than men are paid, on the ground that women are supported, at least in part, by others, that they live at home, or that they are working only until they can get married. The injustice of these considerations

as a basis for cutting woman's wages has already been examined.⁵ Woman is in industry to earn her living just as man is, and should be paid on the same basis as man is paid, if for no other reason than that she is thus prevented from lowering men's wages by undercutting and from thus lowering the standard of living in working-class homes as a whole.

The woman who from force of circumstances or other causes accepts less than a living wage not only harms herself, her dependents and those who work with her,—both men and women,—and those who elsewhere do the same work she does, but she puts an unwarrantable charge upon the community in the way of public or private charity which is called upon to support her deficit. To the extent that less than an "equal pay" for women affects the whole wage status for all the workers in an industry, equal pay is a necessity which the community at large has a complete right to demand for its women workers. In the same way the community demands "equal pay for equal work" as between sections of an industry and sections of the country whether the workers concerned be all men, all women or both men and women.

"Equal pay for equal work" as a primary principle in wage payments recommends itself to employers, not only because it is just in theory, but also because it is best for employers in the long run—best because it is practical justice. A committee appointed in 1917 by the Executives' Club of Detroit and given the task of fixing standards of working conditions under which women might be employed to replace men, made this principle one of their most important recommendations.⁶

The gradual adaptation of women to industrial life, the decrease of the differences between male and female workers, and the growth of labor unions among female workers are also hastening the adoption of this ethical principle.

Wages. *The chief characteristic of women's wages is their insufficiency.* In recent years a number of state commissions have investigated the wages of women in industrial occupations and almost without exception have reported that women were re-

⁵ See p. 15 above, "pin-money" theory exploded.

⁶ Parker, H. F., "Detroit's Plan for Recruiting Women for Industries." *Industrial Management*, Aug., 1917, 53: 654-9.

ceiving far less than a decent standard of life requires. For example, it was found that many women working in retail stores in the state of Massachusetts received a wage too low to support them in comfort. Nearly two-thirds of such employes, in fact, received a wage of under \$8 a week.⁷ At the same time it was found that 75 per cent of the female workers in laundries of that state received a wage of under \$8 a week.

The Massachusetts minimum wage commission in December, 1916, found that in the men's clothing industry where 40 per cent of the workers were women, of the total number over $\frac{3}{8}$ earned an average wage of less than \$6 a week, while over $\frac{3}{4}$ earned less than \$8 a week. Only 155 out of 1,132 workers earned an average weekly wage of \$9 or more.

The process of finishing, in which over half of the women were engaged, was the most poorly paid occupation, considerably over half the finishers in both groups receiving less than \$6 a week.

We are paying one dollar or more a pound for candy: of 5,500 workers in the candy industry, 3,000 earned less than \$6 a week.

Nearly two-thirds of all women workers in garment factories in the state of Indiana have been found to fall under this same classification, over 40 per cent of such employes receiving under \$6 a week. The maximum that could be earned in a week by nearly 90 per cent of the women employed in retail stores in Indiana has been reported at \$12.⁸

A recent study of women's wages (1916) in the United States showed that 75 per cent of the female workers received less than \$8 a week, 50 per cent received less than \$6 a week and 15 per cent received less than \$4 a week. And yet it was agreed at that time that \$8 a week was necessary *before the war* for a self-supporting woman, living in the city, to maintain herself in simple decency and working efficiency. The minimum cost of living at the present time (1919) is put at \$15 a week.

⁷ Mass. Report of Commission on Minimum Wage Boards, Jan., 1912, pp. 113-4.

⁸ U. S. Dept. of Labor, Bureau of Labor Statistics; Bulletin 160, Oct. 16, 1914, p. 74.

The Cost of Living. A Massachusetts investigation⁹ ascertained that the minimum at which girls working in the brush industry could be supposed to exist was \$8.71 a week, distributed as follows:

Board and lodging per week.....	\$5.25
Clothes at the rate of \$75 per year.....	1.44
Laundry . . . . .	.50
Doctor and dentist.....	.20
Church . . . . .	.10
Newspapers and magazines.....	.16
Recreation, allowing for moving pictures once in two weeks and theatre once a month.....	.17
Vacation . . . . .	.19
Carfare . . . . .	.70
Total	\$8.71

The standard which the Massachusetts commission used in fixing this amount included respectable lodgings, three meals a day, comfortable clothing, and some provision for recreation, self-improvement, and care of health; and yet at the time this investigation was made nearly 90 per cent of all females in the brush industry in Massachusetts were receiving a wage of under \$8 a week.¹⁰ After considerable deliberation, however, the board compromised on 16½ cents an hour as the minimum wage for experienced female employees and 65 per cent of this amount for learners and apprentices. From this it would appear that if the hours averaged fifty per week, which is most improbable, the minimum weekly wage of the experienced females employed in the brush industry in Massachusetts would be only \$7.75, or nearly \$1 below the amount agreed upon as an irreducible minimum.¹¹

The Consumers' League, New York City, in 1916 compiled the yearly and weekly budgets of a \$9-a-week worker.

	Weekly	Yearly
Board—\$2.50, and Room, \$3.00.....	\$5.50	\$286.00
Lunches at 20 cents a day.....	1.20	62.40
Carfare at 10 cents a day.....	.60	31.20
Laundry . . . . .	.25	13.00
Clothing	1.25	65.00
2 hats	\$6.00	
1 wool suit	15.00	
1 wool skirt	4.45	
3 waists	5.00	

⁹ American Economic Review, Volume 5, 1915.

¹⁰ *Ibid*, p. 220.

¹¹ *Ibid*, p. 275.

3 petticoats	2.70	
1 corset .....	.79	
6 corset covers	3.00	
2 combinations	1.50	
2 shirts	1.00	
2 drawers	1.00	
2 night gowns	2.00	
6 pairs of stockings	2.94	
3 pairs shoes and repairs.....	13.90	
1 pair rubbers	1.00	
2 pairs of gloves	1.38	
ribbons .....	.78	
6 handkerchiefs	1.50	
hairpins, tooth brush and paste.....	1.50	
Clothing for year	\$65.00	
Sickness, dentist, insurance, pleasure, all incidentals .....	.20	10.40
Total	\$9.00	\$468.00

In this budget there is:

No vacation	No reading material
No church	No candy or gum
No soap	No veils
No club dues	No cold cream, etc.
No extra carfare	No war taxes
No hairbrush or clothes brush	No thrift stamps

The National Consumers' League has recently quoted government figures to show that living in New York State, since 1914, has increased so that clothing costs twice as much as it did; food, rent (including light and heat), and general expenses cost half as much again as they used to.

This would bring our nine-dollar estimate to

Board, room, and lunches.....	Weekly \$10.05
Clothing	2.65
Carfare, laundry, sickness and all incidentals.....	1.70
	<u>\$14.40</u>

thus fixing the lowest cost of living in New York State at \$15 a week.

A minimum wage is not always a fair wage, since it penalizes thrift.

The only kind of girl who can live on a minimum wage is the girl who is talented enough to earn more.

She must keep her own clothes in repair, she must launder the bulk of them herself in these days when the ordinary laundry charges 25 cents for one shirtwaist and 2 cents for a handkerchief. She must be well versed in food values to sustain

life on a twenty-cent lunch—two cheap sandwiches or one sandwich and a cup of cocoa. Moreover, the Consumers' League estimate of \$3 for a respectable room leaves only \$2.50 for the remaining 15 meals a week, an average of $16\frac{2}{3}$ cents per meal, which could not include enough nourishing food to compensate for a Barmacide lunch.

Our nine-dollar-a-week girl must be absolutely the "Master of her Fate and the Captain of her Soul." She must have no lapses of moral restraint. She must sew and patch and mend and make over with consummate skill. She must go coatless while her one coat is being repaired or have it done over night, or reline it piecemeal night after night, wearing two colors of lining for a whole week because she cannot keep awake to finish the job all in one night and work the next day.

She must live where rents are low, often many miles from her work, and so curtail her evening and morning hours to allow for the time spent in transit and add to her item of shoe repairs; she cannot afford the luxury of roller-skates on which to speed to her work, filling her lungs with oxygen and her spirit with joy as did dozens of girl war workers in Washington last year.

A nine-hour day at work in a factory or business office, with one hour for lunch, usually means also an hour each day on one's feet in a jolting, crowded, ill-ventilated car—eleven hours in all. If we add eight hours for sleep there are five hours left out of the twenty-four for everything else—breakfast and dinner, washing, ironing, mending, education, reading, clubs, religion, sociability, recreation, and amusement—all of which come the less readily where money is scarce. An underpaid girl yields to moral temptations that her living wage sister can resist. The ordinary wage does not provide sufficiently for the future, nor for the dependents for whose sake a girl often goes to work.

The industry that does not earn enough to be self-supporting—that is, to support its workers, should not continue to exist at the expense of the public. Its only just excuse for existence is its being perhaps a "pivotal" industry, indispensably contributing to some essential industry; in which case the essential industry must look upon the maintenance of wage standards in that pivotal industry as a clear charge upon the essential industry dependent on it.

Gap between wages and living expenses. These illustrations, which could be multiplied almost indefinitely, show beyond the shadow of a doubt that there is a great gap between wages and reasonable living expenses, a gap which is bridged over in one of two ways: (1) either workers in other industries are taxed as citizens to bear the burdens created by these insufficient wages, or (2) the deficit is met out of the self-denial and in many cases slow starvation of the workers employed at these abnormal and unjustly low figures. In any event, the situation represents a degree of social and industrial maladjustment that calls for remedial measures.

Wage rates greater than actual earnings. The situation is aggravated by the fact that these figures do not represent the actual wage received.

A few years ago an Oregon investigation which concerned 116 women working in department stores in Portland revealed the fact that those who lived at home spent \$605.36 a year, and that it cost those who were adrift a total of \$570.42 a year. The annual earnings of those living at home were found to be \$459.50, and those who were adrift earned \$480.57, leaving for the first group an annual deficit of \$145.86 and for the second group a yearly loss of \$89.85.

The total yearly earnings are very frequently diminished by sickness, unemployment, break down of machinery and by penalties of one kind or another. The yearly income seldom equals fifty-two times the weekly wage. Of one thousand workers investigated over four hundred received less than \$100 a year, less than a hundred received as much as \$400, the equivalent of \$8 a week for one year.

Need for study of wage problems. Each one of these causes of deduction of itself constitutes an economic problem which is worthy of a separate study. "In fixing standards for wages," says one authority, "the question of regularity of employment is of great importance. Whether or not a worker can secure steady employment in a given industry is the factor which determines whether the 'living wage' prescribed in an award provides a 'living income' throughout the year. . . . Many low-paid industries whose wage rates are affected by minimum wage awards

are notably irregular, as, for example, candy-making and paper-box making. In Massachusetts, in Oregon, and in Washington, however, wage losses from unemployment have been given some attention by the wage boards. In Australia the time lost from industrial causes is often definitely computed in fixing wages. For instance, in setting the minimum hourly rate for dock laborers, the necessary cost of a week's living was divided by the average number of hours of work obtained weekly."¹² The necessity for considering minimum income rather than minimum wage readily appears when it is understood that the wage rates referred to above are reduced approximately 20 per cent through lost time and unemployment.

Overtime not a good practice. Another practice which in effect reduces the wage of women workers is the practice of working overtime without pay. It will be seen later that overtime under any condition or for any consideration is bad. When women are required to work overtime without pay, overtime becomes intolerable and should be eliminated as far as possible. In fact, the recent tendency in labor legislation seems to be towards doing away with overtime entirely. In actual practice it has been found that laws which permit overtime under certain circumstances are difficult to enforce, the provision for overtime being used to cover violation or to defeat the purpose of the legislation regulating the length of hours. For practical reasons, therefore, it is best to do away altogether with overtime in the case of women workers.

The extent to which overtime is not paid for is indicated by the recent report of wage-earning women in Indiana. According to this report,¹³ 71 per cent of the women employed in department and other retail stores, other than five-and-ten-cent stores, worked overtime, and more than two-thirds of such women reported no pay for their overtime work. Where the piece rate is employed, as for example in garment factories, it is obvious that overtime must be paid for. Nevertheless, the Indiana investigation previously referred to shows that more than 13 per cent of the women working in the 67 garment factories investigated reported

¹² Principles of Labor Legislation, Commons, John R., and Andrews, John B. 1916, pp. 168-9.

¹³ Bulletin of U. S. Bureau of Labor Statistics, whole number 160, p. 27.

overtime not paid for. All the women who reported overtime not paid for were, of course, time workers.

Wages not keeping pace with living costs. Wage rates are undoubtedly higher now than they were a few years ago. But on the other hand, the cost of living has risen during the last ten years much more rapidly than wages have risen. One writer estimates that the lot of labor has during the past two decades declined 10 per cent.¹⁴ In spite of the fact that complete wage statistics are not available, it is safe to conclude that, even in these abnormal times, the rise in wages is lagging well behind the increase in the cost of living, so that wage-earners as a class have a smaller share of the social dividend than they have hitherto enjoyed.

Need of recognition of skill and experience. Another economic problem of great importance is the problem of economic advancement for the woman wage-earner. It is an idle boast to say that this is the land of opportunity, so long as women find the door of opportunity shut in their faces and held shut by the laws of property, by an inflexible industrial organization, and by a minute division of labor which prevents them from having a chance of advancing.

In only a few occupations, according to the Michigan commission on woman's work, does experience bring a substantial increase in wages. The Indiana investigation previously referred to discovered likewise, in the case of garment workers, that neither age nor experience can raise the earnings above the level reached at a comparatively early age and limited number of years of experience. In only a few occupations does this conclusion not hold good; and in such exceptional cases, the limit of wage increase is reached at an absurdly low level at an uncomfortably early age.

Social justice demands, therefore, that the door of opportunity be unbarred and that the latch-string be placed within the reach of every willing worker. Where is the justice in putting it out of the reach even of the six-footer, except on condition that he stand on tiptoe? As most industries are at present organized, the earning power of the individual worker is determined by

¹⁴ American Economic Review, vol. V, Supplement, p. 287.

factors largely beyond his control. There is not sufficient place for personal merit, for individual initiative. The workers are in a lockstep, from which they cannot vary. They must "carry on," but they must do it at best on a dead level. To change this situation public action seems to be necessary—more necessary, if possible, in the case of the woman worker than in the case of the male worker, for women are far less trained than men in the use of collective bargaining¹⁵ to protect their interests.

Problems reviewed. Reviewing the economic problems relating to woman's work, woman is now in many employments performing the same tasks that men perform but often at a much lower wage. In fact, her wages, in a large majority of cases, are altogether too low to provide her with even a minimum of the necessities of life. Reduced as her pay is by sickness, by unemployment, by penalties, and by overtime without additional compensation, woman is left no choice but to meet the deficit out of her own precious vitality. Often, moreover, women are required to work long hours, sometimes seven days in the week, and not infrequently at night. Many of these conditions do not meet with the approval of industrial managers, who realize that such labor is frequently, in the long run, very expensive, because it is relatively inefficient. Hence the better class of employers are in harmony with other public-minded citizens in urging the further protection of woman from conditions of employment from which she cannot as an individual protect herself, and which undermine her morally and socially.

The chief objections to laws governing the conditions under which a woman shall work are (1) that they take away her American constitutional right to "life, liberty, and the pursuit of happiness" so that she is not free to decide at what hours she wishes to work, nor what wages she will work for. In a word, it is contended, she loses her right of "freedom of contract"; (2) that legal restrictions place women in a special class and so drive them out of certain lines of work.

Modern industry is a community concern; there is no individual isolation. The needs of the public, the needs of the employer, the needs of the laborer, determine the "bargaining power" of each. Whichever has the greatest need, that one is

¹⁵ See Chapter VI, following.

the first to submit to the demands, just or unjust, of the other. "Freedom of contract" is a phrase of the past; there is no such thing in the complicated life of the present. The employer has a lease on the potentialities of the life of the worker. The worker must be legally safeguarded, else that lease will prove to be a mortgage. Labor laws do not restrict workers, they restrict undesirable tendencies in industry at large.

Labor legislation, more properly called social legislation, represents an effort to get away from the individual, self-centered point of view. It looks at society as a whole, at industry as a whole, and meets the situation with what appears to be, from all possible evidence, the best solution. Often the rise of severe industrial troubles may be traced to too long delay in actual facing of real difficulties. Sensible people should not be willing to tolerate evasion of responsibility permanently. Legislation is the joint action of all the people to protect themselves and to equalize conditions.

Every new adjustment in industry or in society causes temporary suffering to some one, but in the end the majority profits by every move toward higher standards of living and health, and progress should not be impeded through purely selfish motives.

CHAPTER VI

SOCIAL VALUE OF WOMAN'S LABOR

THE prevalence of woman in the gainful occupations is not in itself a matter for grave concern. Society has a right to expect every individual, male and female, to make some contribution to his day and generation; and there is not a little presumption in favor of that contribution being economic, at least in part. Nor should concern be felt solely for the welfare of female workers; the interests of male workers are also very important. But society rightfully has a special concern for the welfare of her women, particularly for those who are classed as breadwinners. If it had not, society would be inconsiderate not only of the interest of the race, but of the community at large, and especially inconsiderate of the interests of all who labor, particularly of men workers.

The working-woman a social asset. In his popular work, *Changing America*, Professor Ross discusses the foundation of public concern for the woman who toils. Stated plainly, society's interest in the working-woman is the result of two factors, according to Professor Ross: first, her own helplessness and incompetency as guardian of her own life; and secondly, the imperative demand for the perpetuation of the race. Girls from seventeen to twenty years of age do not know what they need. They are not aware that standing all day behind counters, stooping under heavy loads, working at telephone switchboards ten and even fifteen hours a day, are slowly undermining their vitality and unfitting them, not only for ordinary existence, but for the performance of their peculiar function of motherhood. If, however, as Professor Ross points out, such young girls did know the effect that industry has on their physique and vital forces, they would still be unable to help themselves, for they have no choice. Certainly there is little choice between working under conditions that mean slow destruction and not working at all. Girls and women do not go into industry merely for the fun of the thing, but to earn their daily bread. There they meet com-

petitive conditions which are arranged by man for man, the severity of which more frequently than otherwise overtaxes even the male constitution and sends the male worker prematurely to the industrial scrap heap. If the fact that woman faces these same conditions does not appeal to the public sense of justice and humanity, it is difficult to imagine a situation which would.

With labor playing such a tremendously effective part in winning the world war and with the resulting public awakening to the intimate relation of all things industrial to the most vital considerations of national and social economy, there has come to be added a third reason for public concern for the conditions under which the world's work is done. This concern naturally is first manifested at the weakest point in the industrial organization,—i. e., the conditions under which women labor. Forward thinking employers, as for instance the Twenty Quaker Employers,¹⁶ are convinced as men, as citizens and as Christians, that there must be a new concept of industrial economy and a corresponding new industrial ethics, and that both economy and ethics demand *in the interest of industry as a whole*, as well as in the interest of the community as a whole, that women be given special consideration in the organization of industry and in the laws which govern its conditions until such time as women no longer stand as possible hindrances to the steady progress toward a genuine democracy in industry. There is little use in talking of collective bargaining or of other forms of democratic organization in industry unless first we learn to look upon women as rightfully doing their share,—and a growing share,—in the world's work and therefore as labor factors which cannot in safety for the whole industry be ignored or allowed to work under insufficient legal safeguards.

So we must add to Professor Ross' two considerations a third: both employers and the public, in joint concern not only for human beings,—present and future citizens,—but for the integrity and progress of that industry which is the bulwark of our civilization, now are trying to build up standards for a right use of woman labor entirely considerate of the woman's relative weakness,—as yet,—in the control of her destiny and of her maternal value to society, but thirdly, considerate also of her

¹⁶ See their Program of Reconstruction, in *The Survey*, Nov. 23, 1918, Reconstruction Supplement No. 2.

effect as a laborer upon the industry which hires her and the community which uses the products of her labor or works at her side supplementing that labor.

Woman's physiological handicaps. The helplessness of woman in industry naturally is thought of under two important heads. In the first place, as has already been observed, woman is, physiologically at least, less robust than man. Miss Goldmark, in her authoritative work on *Fatigue and Efficiency*, shows that the female sex is peculiarly susceptible to both fatigue and disease. These physiological differences between man and woman, according to Miss Goldmark, are important, because woman's physiological handicaps make her more subject than man to the strain of industry. Since the health of woman in industry is shown to be specially open to the inroads of fatigue and disease on account of woman's physical make-up, she needs the protection of special laws.

"It goes without saying," says Miss Goldmark, "that the fundamental fact which distinguishes women physiologically from men is their particular sex function—the bearing of children. Their anatomy and physiology is adapted for this primal function, whether or not it is ever to be realized, whether or not they are ever to become mothers of children. The unmarried as well as the married woman, therefore, is subject to the physical limitations of her sex, and each suffers alike from those incidents of industrial work most detrimental to the female reproductive system, such as overstrain from excessive speed and complexity, prolonged standing, and the absence of a monthly day of rest. These and similar conditions are common to most industrial operations and they are particularly harmful to women."

Moreover, Miss Goldmark goes on to point out, the predisposition of working-women to disease in general is greater than is true in the case of men. In some instances the difference is as great as 139 to 100. Not only that, but the duration of illness in women is greater than in the case of men; hence, what is technically called the coefficient of morbidity, that is, the duration of sickness per person each year, is higher for women than for men.

Thus, concludes Miss Goldmark, women are at a serious disadvantage because of their greater general liability to disease and because of their peculiar susceptibility to injuries of the

generative organs. In a word, they are less resistant to fatigue than men and they suffer more gravely from the strains and stresses of industrial life.

To the testimony of this authority on woman's industrial life might be added the well-nigh universal opinion of the medical profession. These statements are so convincing that they are admitted by the supreme court of the United States in the famous case of *Muller v. Oregon* (208 U. S. 412), in the following language: "Even though all restrictions on political, personal, and contractual rights were taken away, and she (woman) stood, so far as statutes are concerned, upon an absolutely equal plane with him (man), it would still be true that she is so constituted that she will rest upon and look to him for protection; that her physical structure and a proper discharge of her maternal functions, having in view not merely her own health, but the well-being of the race, justify legislation to protect her from the greed as well as the passion of man."

Certain employments should be prohibited to women. Even more remiss are we in recognizing that certain occupations should be prohibited to women, because even the most careful regulation of working conditions in these occupations would not suffice to prevent injury to the health of women employed therein. Such occupations are those which involve the presence of dust, fumes, vapors, gases, or other substances of a poisonous or clearly harmful nature. We are not a far-sighted, to say nothing of a humanitarian people, so long as we permit our women to be employed at these tasks, which, as we see it now, almost necessarily involve physical deterioration and decay.

This question of prohibited employments is particularly pertinent right now, since woman has taken up the work of the world to an extent never equaled hitherto. (It should be the concern of the state to find out into what industries she may go, and under what conditions; and from what industries she must be excluded because of adverse conditions inherent, apparently, in the process or business.) There is no excuse for women stampeding and rushing without knowledge into jobs which are wholly unsuited to them; nor is society warranted in leaving these raw recruits to stumble without guidance upon the thing which they can do best in their country's service. Steps should

have

be taken at once to find out what work woman can do and may be allowed to do, and to guide her into such tasks while prohibiting her employment in work which is wholly unfitted to her.¹⁷

Married women in industry. The married woman with children in industry presents a distinct problem.

Statistics show that in various states and industries from 25 to 40 per cent of American women workers, 20 years of age and over, are married.

The mother who is concerned above all things about the future of her children, and who is forced into industry through widowhood or her husband's inability to support her, faces a very serious situation, because economic failure is almost inevitable and society must step in and aid her, either financially so that she may be a full-time mother or by breaking up the family and providing care for the children so that she may be a full-time breadwinner.

Present industrial conditions are too severe to enable a woman safely to carry both jobs. Thus it is evident that society must fortify itself by providing proper conditions of work for the woman who toils.

Need for legislative minimum. Industry cannot extricate itself from its present condition without public assistance. No one employer of women is likely very far to exceed the limitations which he fancies are imposed upon him by the conditions of employment in a competitor's shop, store, or mill. In spite of the mass of evidence showing that right and justice are the essential foundation stones of profitable business enterprise, still there are individual employers who are afraid to launch out upon the deep and let down their nets. Hence there is *need for legislative control*. The range of occupations to which women can enter, the length of the working day and the working week, standards of sanitation, conditions of comfort, etc., must be determined by public authority, weighing not the fancied good of a few workers but the greatest good of the largest number and of the whole community. Not alone a few far-sighted and just employers must be helped to realize this fact, but *women workers themselves*

¹⁷ A splendid beginning was made during the war by the U. S. Government (Dr. Alice Hamilton's investigations) and by the British Ministry of Munitions. (See Health of Munition Workers' Committee, Final Report, 1918).

must study their relation to the problem in its widest application so that they will come to realize their intimate responsibility for making industrial democracy and making it safe not only for the greatest numbers possible of present-day workers, but for their children and their grandchildren.

Women must study industrial problems. Women themselves are all too often the ready tools of any interest which seeks to divert the public mind from legislation which is eminently just and in the public interest. Too long accustomed to think of their problems only from the immediate personal angle, small groups of women have been known to lend the force of their tales of individual and temporary handicap resulting from special legislation to efforts to rescind legal action which might benefit tens and hundreds of thousands of other women far less fortunately situated and far less equipped to cope with the adversities of their industrial circumstances. Industrial women in particular must bend their best efforts to knowing the facts of their condition, not as they affect one small group of women, in one town or one industry or even one state or nation, but as they affect millions of women in this and other lands. Industrial women must learn more about the effect of fatigue and poor conditions and long hours and wage standards; they must definitely set themselves to the task of fitting themselves for real participation in the building up of a new world in industry. Nor must industrial women fail at any point of their thinking to remember that they are *part of a larger whole*, that everything they determine to work for in the interest of women must stand the test of its justice to men also, and of its justice to industry and to the community. Women must learn to think in ever broadening circles of application; often they must stand out for a *principle*, not because they themselves are affected, but because that principle is fundamentally right and just and humane. No part of society will fail to support special legislation in the interest of women when once the women themselves become so obviously real citizens that they make common cause with labor, with the employer, and with the public in asking special legislation, not alone because they are women, but because they cannot without that legislation fully discharge their many-sided functions in the world of home and work and community life.

Women must raise an American labor ideal. No group of women can render more valuable service in the present time of change and new awakening than those women who will set themselves sincerely to study the problems that concern women workers,—some women from the viewpoint of the employer, others from that of the workers, others from that of the consumer public, others from a sincere attempt to bring together and harmonize all these viewpoints into a working plan. This country needs thousands of such study groups, quietly devoting themselves to building in themselves a new consciousness and a new conviction, for after all it is the work and the thought and the planning and the doing of all of us together that turns the drivewheels of progress. Only out of such womanly devotion can we develop the leadership of the future which shall be a vital welding of all viewpoints and many kinds of experience into an American ideal for labor in which women shall carry their just share of responsibility.

CHAPTER VII.

LABOR LEGISLATION

Social Insurance.

HISTORY of Legislation for Women. That "the fundamental purpose of labor legislation is the conservation of the human resources of the nation" is sufficient reason for the faith and interest of women especially in this subject. As early as 1845 the New England Female Labor Reform Association was organized. It petitioned the legislature of Massachusetts for a ten-hour day. Women have been petitioning ever since; they did not at first, however, know the value of the ballot and co-operation. In 1919 the New York Women's Joint Legislative Conference, composed of the State Suffrage Association, the Woman's Trade Union League, the Consumers' League, and the Young Women's Christian Association, and representing hundreds of thousands of voters, stormed Albany with the slogan, "Make Industry Safe for Women." Mississippi has had a similar committee since 1914. Indiana women sent a "W. J. L. C." to their state legislature in 1919; men and women in every state are getting together on what they want in the form of social and protective legislation and in behalf of good government.

Laws must be drafted by experts. Laws are based on simple principles of justice and the good of society, but through centuries of practice and interpretation a complicated procedure and phrasing has developed, and law is now a subject for experts, so that in drafting legislation the first care should be to avoid technical errors that will invalidate the law. No general statement can be made concerning this because the states differ widely in practice. It is important that the law permit few or no exceptions. Maryland, for example, which has 7.4 per cent of all the canning of the U. S., exempts the canneries from the law fixing ten hours as the maximum day for a woman. It is advisable that the law be general rather than specific in phrasing, as the New Jersey Workman's Compensation Law, for example, reads "any accident in any employment," and not like the New York law, which has been changed every year and now names 44 spe-

cific industries. Proper and effective provision for the enforcement of the act must be made. Unfortunately, details are most important in law. A misplaced comma or the use of synonyms may spoil the effectiveness of a measure.

Social Insurance. There are six general classes of labor legislation: social insurance, minimum wage, hour regulations, safety, sanitation and health regulations, and child welfare laws. The most far-reaching of these groups is social insurance, which simply means that injuries and misfortunes are to be cared for by the community, and which applies to men, women and children. Workmen's compensation, health insurance, maternity benefits, mother's compensation are included in social insurance and are mutually dependent. Each kind of social insurance is administered separately and the expense of each is distributed differently.

(1) *Workmen's Compensation.* Workmen's compensation laws in the United States were first passed in 1911, by Washington, Kansas and Wisconsin, though there had been attempts at some form of compensation laws since 1902. Thirty-five other states, the Federal Government, Porto Rico, Alaska and Hawaii have adopted compensation laws. Workmen's compensation should be compulsory and should cover all occupations, hazardous or non-hazardous. It is just, however, that "casual" labor be exempted, if it is carefully defined and limited. The application of the law is usually limited to workers receiving less than a certain salary, but the phrasing of that salary limit should take into consideration the rising cost of living and the underlying principle that the object of compensation is not only the meeting of emergency expenses for illness, etc., but the maintenance of a proper standard of living.

The small employer should not be exempted from the act. Twenty states have found a week to be long enough for the "period of waiting." The word "injury" has been given a broader interpretation by the courts than has "accident" and so is to be preferred. A workmen's compensation law must state the amount of compensation,—two-thirds of the worker's wage being the ideal at present,—the kind and amount of medical service and the right of bringing suit in the courts. There should be a state fund to provide insurance at cost, such as 15 states have created.

It is evident that much depends upon the administration of the compensation law, and so an industrial accident board should be established. The expense of administration is borne by the state, but the compensation is paid by the employer.

The justice of the claim that a workman injured in the course of duty, through no fault of his own, is entitled to compensation, has not been denied, but courts have seldom granted damages, because of three defenses of the employer known as "assumed risk," "fellow servant," and "contributory negligence." The first means that when you take a job you do it voluntarily, knowing the dangers involved and willing to take the risk. By "fellow servant" it is understood that the employer is not responsible if he can prove that the injury was due to the carelessness of any other of his employes. "Contributory negligence" is the court's way of saying that if the worker is in any way responsible for the accident, no matter what the other circumstances of the case are, he is not entitled to compensation. These three common law defenses arose before the days of factories and machinery, because of which workmen's compensation laws are necessary. Courts have decided that workmen's compensation laws are constitutional, agreeing with the New York decision, "Surely it is competent for the State in the promotion of the general welfare to require both employer and employee to yield something toward the establishment of a principle and a plan of compensation for their mutual protection and advantage."

(2) *Health Insurance.* Health insurance is a broadening of the principle and methods of the fraternal and labor benefit societies, so that all the people instead of only a few may receive needed help. Sweden was the first country to give state aid to the voluntary health associations. Compulsory health insurance exists in Great Britain, Norway, Sweden, Russia, Holland, Germany, Austria, Hungary, Roumania, Serbia and Luxemburg. In the United States, eight states, California, Connecticut, Illinois, Massachusetts, New Jersey, Ohio, Pennsylvania and Wisconsin, have appointed commissions to investigate health insurance, and bills providing for compulsory health insurance are before many state legislatures in 1919. To be effective, health insurance which is an extension of the principle and method of workmen's compensation, should be compulsory, the fund to be contributed by the employer, worker and the state. As with

workmen's compensation, the law should be restricted to wage workers earning less than a given annual sum, but there should be no exceptions, and dependents of the workers should be included. Health insurance supplements workmen's compensation by providing for occupational diseases, very few of which have yet been interpreted as coming under the compensation laws.

Health insurance also will provide maternity benefits, both for insured women and the non-insured wives of insured men. Under an effective bill, both medical and nursing care and cash benefits should be included. Adequate provision should also be made, either through the administration of health insurance or through the health or educational branches of the state government, or through the state labor department or industrial commission, for full and well-directed health education in personal hygiene from an industrial standpoint, in the prevention and treatment of industrial disease (including of course first-aid instruction of a most practical kind), and in such principles of general community sanitation and public health as especially apply to industrial communities. Such educational effort should avail itself of all possible help from federal and state and private agencies who specialize in health education, but special attention should be devoted to the development of sound principles of maintaining health among industrial workers and their families.

Twenty-six (26) weeks has been named provisionally as the period during which benefits are to be provided. The administration of health insurance should be through boards, consisting of employers and employed workers, with government supervision. Incomplete figures show in New York State alone an annual loss of \$40,000,000 a year in wages because of sickness.

Present methods of dealing with this sickness problem are inadequate; charity and fraternal benefit societies reach a small minority of those needing help. A community spirit and better living conditions will follow the adoption and application of health insurance.

(3) *Mother's Compensation.* The form of social insurance most widely adopted as yet in the United States is mother's compensation. Its growth has been rapid, thirty states having made mother's pension or compensation provisions since 1911,

although the sums allotted have been insufficient to fulfill their object, which is to make it possible for the mother to devote herself to the care of her children, instead of struggling along on heavy work and poor wages.

The laws have all taken the form of direct grants of money by the state, never more than \$15.00 or \$20.00 a month for one child. This sum, of course, cannot support one person, but it is a help. The plan of having the fund administered through the courts seems to have been satisfactory, though there should be a local board of child welfare to advise with the judge. Mother's compensation laws should be flexible, should permit the administrators to consider the welfare of the child, as does the Colorado law, for example, which reads, "to pay such parent or parents, or, if it seems *for the best interest of the child*, to some other person designated by the court for that purpose,"—and in its final section, "This act shall be liberally construed for the protection of the child, the home and the state, and in the interest of the public morals, and for the prevention of poverty and crime." Mother's compensation scarcely needs discussion, since no one doubts that the future of society is dependent upon the children of today. As Judge Ben. B. Lindsey says, "It is a recognition for the first time by society that the state is responsible, in a measure, for the plight of the mother."

What sickness means to an employer. One of the most serious industrial hazards an employer has to face is that of sickness on the part of his employees.

The absence of a workman, even for a short time, means an interruption of work—if piece work it means either that the progression of material through the factory is blocked by the lack of the workman to put in his particular bit of the process, or that the total production is decreased and machinery and equipment lie idle. Too much of this means loss of morale among employes, which every employer deploras.

If the illness is long or death occurs and the vacant place must be filled time and money are lost through the need of instructing and training a new worker (this is valued at from \$30 to \$5,000), through decreased production, through injury to machinery, accidents and delays, and through poor quality of work.

What sickness means to an employee. On the side of the employee sickness means a loss of income with poverty looming ahead, the possible loss of a job, the necessity of returning to work before he is able, thus continuing the illness. It means a shortage of funds when expenses are greatest. Mr. Frederick L. Hoffman says, "It has been said, and I believe it is true, that the majority of our wage workers have not a single week's wages ahead." Sometimes \$10 to \$15 represents the margin between independence and dependency. From 75 to 80 per cent of the relief given by the Charity Organization Societies of our large cities is due to illness. In this connection we must not overlook the psychological effect upon the worker of the mental turmoil and distress incident to facing poverty and unemployment, and the dragging of a wife and family along the same path. Thus John H. was a hard working New York truck-driver, whose family consisted of a wife and three children, the youngest a baby four months old. He contracted influenza and had to stop work. His wife nursed him for two weeks, at the end of which time their small savings had been used up. Then the three children came down with the disease, and two days later the wife became very ill. When a neighbor finally referred the case to charity, they were penniless, without medical care, the baby had died and the two older children had developed double pneumonia. The family were loaned money enough to pay for the burial of the baby, nursing care and food—which meant that John mortgaged his future earnings and went back to work burdened with a load of debt. What would have happened if a health insurance bill had been in effect? John would have been insured in a mutual health insurance fund at a cost to himself of about twenty-four cents a week, his employer paying an equal amount. This would have entitled him to call a doctor as soon as he was taken ill, to receive medicine, and if necessary to secure the services of a nurse to help his wife—all paid for by the insurance fund. Sound medical advice might have prevented the illness of the rest of the family and saved the baby's life. Besides medical care, John would have received, after the first three days of illness, \$8.00 a week as long as he was unable to work. This would have supplied food and prevented the discouraging debt with which the family is now struggling.

To the other employees in a plant sickness among their number means not alone the possibility of contagion for themselves and families, but delay and oftentimes loss of piece-work wages by reason of the absence of the worker who should produce the material they work upon. Under the present system of trade union benefits only a man's fellow workers share in the burden of tiding him and his family over the period of financial difficulty due to his illness; under the health insurance the whole community shares the burden as they should also share in educational and other preventive measures, in the interest of the whole community's welfare.

Amount of sickness. In New York State there is an annual loss, through illness, of about \$40,000,000 a year. In one public school system a teacher is docked about 60 per cent of her salary for each day's absence for three weeks, and 100 per cent thereafter. So incompletely are substitutes used to fill the places of absent teachers that the school board actually figures the amount of salaries unpaid because of illness as on the credit side of its ledger, so that the board would actually face a deficit in its budget if the amount of illness were to be reduced.

In one state of the Union 150,000 persons are seriously ill every day in the year. Nine days per male worker each year represents the average loss in time through illness. If the 12,000,000 women in industry lost no more days on the average than men lose the total loss in the United States would be 108,000,000 days each year at a minimum estimate—or 38,338 years of 313 days each (365 less 52 Sundays), plus 7 months. If we consider all the women as earning the minimum city wage of \$15 a week the money loss through sickness among the women of the United States each year would amount to \$270,000,000, or nearly a million dollars more than the entire country gave to the promotion of morale among war workers through the agencies financed by the United War Work drive of last November.

Much sickness is unnecessary. A large percentage of sickness is preventable. Germ diseases, general diseased conditions due to enlarged tonsils, lack of dental care, and those directly due to bad working conditions such as unsanitary surroundings, too long hours, monotony of work, low pay and the resulting

undernourishment should be discovered in their early stages and thus checked or prevented. The majority of working people, however, wait until a crisis is reached before medical care is sought. They do not feel justified in meeting the expense of following the Chinese custom of paying the medicine man to keep them well. By the time a cure is begun prevention is impossible and recuperation is long, discouraging, and expensive, and working powers suffer accordingly. Among 650,000 industrial policyholders in half a dozen widely scattered localities 23 to 39 per cent of those incapacitated were not receiving medical care. About 30 per cent of the sick have no physician in attendance.

O. R.
Health insurance a road to health education. The amount of illness with its accompanying loss of income and its expense to both the sick worker and to the community, is so tremendous that it has become one of the biggest social problems of the century. How to make and keep the working people well and physically able to be self-supporting has been food for thought among many groups. The sanest approach to the solution of this problem would seem to be through some system of health insurance—a system whereby the worker, the employer, and society at large may pull together; a system by which the cost of the illness of the few may be shared by the many, who in reality are jointly responsible for it. In some factories at present there is hardly a week where the hat is not passed around for the benefit of some fellow worker who, through no fault of his own, has suddenly become an object of charity. A worker who has once met with loss of income through sickness is usually glad enough to pay a fraction of his wages—possibly twenty-four cents a week—all health insurance costs—for being kept well, and able to earn his full wage thereafter.

What health insurance provides. The term "Health Insurance" usually includes the supplying of a high grade of free medical, surgical and nursing service, accident compensation, sickness and unemployment insurance, death benefits and maternity and old age pensions.¹⁸

¹⁸ Old age pensions are well named "depreciated wage reserve" insurance, for they would cease to be necessary if an adequate living wage covered not only the normal family's needs and provided for illness, but took account also of possible decrease in earnings after 60 years.

The service furnished the wage earners through the action of health insurance should be a fruitful means of educating the public in the art of keeping well, and so of materially reducing the amount of illness and premature death in the country. This is especially important in the light of a study made by a life insurance company, which shows that the death rate among its male industrial policy holders whose ages range between thirty-five and forty-two years—the most productive years of a man's life—is 47% higher than for males of the general population.

Among industrial workers in Massachusetts the death rate from tuberculosis and from the degenerative diseases of middle life is greater than for the general population. An excess of tuberculosis is found in all dusty trades, the death rate among workers exposed to metallic dusts being $2\frac{1}{2}$ times as great as the average for all occupations.

Only a small proportion of workers patronize the trade or fraternal benefit organizations, and of course the same small minority receives the benefit. With every industrial worker insured any worker who becomes ill receives the benefit. This is important because no one can predict which worker will work for years without loss of time through illness, and which one may be laid up for weeks or months. For this reason all should share the risk.

It has been shown that women are more susceptible than men to diseases incident to industry: there are over 12,000,000 women in industry in the United States; if their labor is needed the community including these women's dependents (and 80 per cent of them have dependents) must be protected from the social effects attendant upon illness which may come to them through their work. The whole community needs the results of health insurance, not merely the worker. Women no less than men should be protected by health insurance; but men should be protected in a way that takes account of the vicious circle of difficulties which is inherent in the fact that many men workers have women workers in their immediate families and that women often are workers in order to supplement inadequate earnings of their male relatives.

A wise system of health insurance for women in industry would help greatly to bring about the dreams of the Children's Bureau of the Department of Labor which is in the midst of a

campaign to save the babies. If adequate medical care is provided, there is a great decrease in the diseases connected with childbirth, since the expectant mother can have medical care from the beginning of pregnancy.

Medical opinion. Dr. Louis I. Harris, Director, Bureau of Preventable Disease, Department of Health, New York City, believes that a great argument in favor of social health insurance is found in "the deaths due to lack of medical nursing and hospital care, during the influenza epidemic."

Dr. S. S. Goldwater, former New York City Commissioner of Health, says: "I favor compulsory health insurance because a large proportion of the industrial workers of the community are without needed medical attendance; because I believe that a high grade of medical service for the great mass of the wage-earning population is unattainable without organizations; because industrial conditions which are inimical to health can be most readily disclosed and most effectively dealt with under a scheme of health administration in which the insured workers are grouped mainly according to occupation."

The following case will show the possible change health insurance would have made in one individual family; *it is but one of thousands!*

Anton W., a butcher's assistant earning \$22.00 a week, was taken sick with pleurisy and sent to the hospital. From there he was sent to a sanitarium in the country, because the disease left him threatened with tuberculosis.

What happened to his wife and three little children in the meanwhile? His wife took care of a neighbor's child for \$2.00 a week. But this was, of course, not enough for her needs and she looked around for other work she could do at home. Finally she persuaded a nearby laundry to give her its unfinished ironing every night on condition that it was done by the next morning. Eleven weeks of this night work was too much for her, and she broke down and was obliged to ask for charity. The health insurance law would not only have provided for Anton's hospital and sanitarium care, but it would have given his family \$6.00 a week to help meet expenses while he was incapacitated.

With these sickness cases should be contrasted the aid supplied the family of Theodore V. through the workmen's com-

pensation law. Mr. V. was so badly burned by the explosion of a chemical tank that he died in the hospital a few days later. He left a widow and three young children under six years of age. Within two weeks after Mrs. V. had notified the Industrial Commission of her loss, they had awarded her \$100.00 toward the funeral expenses, and a weekly cash benefit, part of which was to be paid her the rest of her life unless she remarried and the rest until the children were eighteen. If New York state can use the social insurance method to keep a family together and prevent destitution in case of industrial accident, why not in case of sickness?

One of our largest insurance companies has found it a good business investment to keep district nurses on call in order to keep its policy holders well. If it is good business for a life insurance company it is certainly good business for the employers of labor, and for the laborers themselves, and we hope to see the United States following the good example of the countries of the old world in exercising wise care over the health of her citizens.

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CHAPTER VIII

LABOR LEGISLATION (continued)

Hours of Labor

GREAT BRITAIN'S war lesson. The great war has taught us many things. It has taught them so conclusively that no arguments are now necessary to convince us of their truth. One of our biggest lessons came from England just when she was in the throes of meeting her war problems—shortage of men and tremendous need for laborers to speed production of all kinds—and when she was discovering at the same time that she was facing serious social and economic problems as well. Her factories, running with patriotic fervor at top speed, with long hours and continuous activity, were turning out poor goods of insufficient quantity and were exhausting their workers and lowering their morale.

In her usual business-like way England set herself to solve this problem of inefficiency through an investigation by the British Health of Munitions Workers Committee. To her surprise the Committee reported that long hours, a patriotic reduction of wages, a lowering of industrial standards and the undue employment of women and of children were the insidious forces at work, not only lowering the quality of the product of her factories but actually curtailing the quantity.

The long working day in particular resulted in fatigue and impaired health to the workers, which in turn lessened the output. A general reduction of hours with some substitution of eight for twelve hour shifts increased the output 38%.

What the United States learned. England's experience was not unique. In 1916, even under the highest war tension, the Berlin Arms Company, one of the largest munitions factories in Germany, reduced its working hours to eight and taught us the same lesson all over again; so that in 1917 the Chief of the Ordnance Department of the United States government wrote:

"In view of the urgent necessity for a prompt increase in the volume of production of practically every article required for the conduct of the war, vigilance is demanded of all those in any way associated with industry, lest the safeguards with which the people of this country have sought to protect labor should be unwisely and unnecessarily broken down. Industrial history proves that reasonable hours, fair working conditions and a proper wage scale are essential to high production," and he urged manufacturers of ordnance "to adopt the highest standards in hours of labor, work room conditions, wages, night work for women, negotiations between employers and employees and to safeguard the employment of children—eight hours per shift should be the maximum in continuous industries—the drift in the industrial world is toward an eight hour day as an efficiency measure."

The eight hour day an efficiency measure. The limitation of a day's work to eight hours makes for greater industrial efficiency since it lessens the predisposition to disease arising from fatigue, diminishes accidents, and creates greater regularity of employment. Work is spread more uniformly through the day, month and year, and less time is lost through sickness.

Theoretically the length of a woman's working day, or a man's either, for that matter, should be determined for each type of process by the physiologist, the neurologist, and the sociologist, to determine the relation between work and fatigue. If it is found that a telephone operator after six hours of service, relieved by one or more rest periods, suffers a degree of fatigue almost unparalleled in modern industry, what shall we say of the telephone girl who sits at her keyboard ten, twelve, fifteen hours a day, with few rest periods to relieve her terrible strain?

There she sits for weary hours, keyed up to the "top-notch of expectancy, watching intently for the flash of the signal lights, responding instantly to the clicking sounds whenever impatient subscribers move their hooks up and down, making and severing connections with all the speed she may." Prodigious is the strain of this occupation on the sight, hearing, touch—a strain for which these organs are not biologically prepared. For this reason the Royal Commission appointed a few years ago to investigate a dispute between the Bell Telephone Company of

Canada and their operators at Toronto came to the following conclusion:

"In our opinion a day of six working hours spread over a period of from eight to eight and three-quarters hours, and under as favorable conditions as may be expected in an exchange doing a large business, is quite long enough for a woman to be engaged in this class of work, if a proper regard is to be had for the effect upon her health."

Everywhere in modern industry this speeding-up of the workers may be found. Sewing machines carry two, three, four, and even ten needles instead of one as formerly. Where will it end, if the public does not intervene to stop it? There are some things which the human organism cannot endure, but the workers are unable and the employers too often indisposed to draw the line, to call a halt.

The Committee on the Church and Social Service of the Federal Council of Churches of Christ in America quotes from a governmental inquiry as follows: "40% of the days worked by women for a rapid transit company were over twelve hours; the maximum was twenty-three! A girl of fourteen had been taken into that difficult service without her parents' knowledge. Nearly three-quarters of these long days of work began between midnight and eight in the morning." Even though a rapid transit worker may not actually work more than eight hours a day, there are frequently long hours of forced inactivity between runs curtailing her day at both ends, hours she is unable to spend at home or in normal recreation.

Elevator girls have been working on twelve hour shifts, during which time they are usually on their feet and manipulating heavy doors at each stop.

Value of the shorter day. The shorter working day gives an opportunity for the continuance of one's education outside of working hours, results in a better quality and larger quantity of work and increases temperance and general welfare.

President Wilson has said, "Society has set its seal of approval on the eight hour day." And so it has. The United

States government has established it for most of its employees, including all laborers and mechanics employed on public work, census takers, postmen and department clerks.

The Midvale Steel Corporation has recently accepted a decision of the National War Labor Board declaring that "eight hours shall constitute a day's work, with time and one-half for overtime work, and double pay for Sunday and holiday work." On the part of the employers the saving in light and heat in the non-continuous industries is a large factor when the working hours are reduced. Less material is spoiled, fewer accidents occur, smaller amounts are paid out in workmen's compensation settlements.

We need no special argument for an eight hour day—a forty-four or forty-eight hour week—for women, since captains of industry themselves admit it is good business to put the men on that basis, and even go so far as to say that overtime work is inefficient.

Overtime, is usually an exaction from the worker without pay, though occasionally it is partially compensated for. [Overtime robs the worker of nervous energy, of needed recreation, of such forms of social life as are open to him; and leaves him too weary and exhausted to recuperate in preparation for the following day. This is true even of male workers. How much more true of the delicate female organism! Yet we permit such things to be, with seldom a protest, and often with our positive encouragement and approval. One firm found overtime to be a sheer extravagance because not only did the girl workers show a lower production the following day, but were too tired in the evening to be worth time and a half wages for the work done in excess of the regular day's work.

When a telephone operator answers 222 to 275 calls an hour, each call requiring six different operations, more than eight hours work a day 2,000 calls—12,000 operations—would seem to be little less than manslaughter. The fatigue index is high in telephone work and the wonder is, not that so many errors are made, but that so many correct connections are made.

To interpret a telephone number consisting of a word, a four digit number, and often a letter in addition, uttered in a strange voice and often in a very slovenly fashion, into motions

of eye, arm and hand over the switchboard 250 times an hour,—4 times a minute,—is a task of great magnitude.

Compare this with the girls in the sewing trade who sit long hours in a room roaring with machinery, watching a machine that carries twelve needles, or one that sews 4,000 stitches a minute. In textile mills one woman is expected to tend to 12 to 16 looms. In canneries the "cappers" are expected to cap 54 to 80 cans a minute.

Shorter hours increase the output. Mr. Harry Porter, consultant in factory management, has reported a steel mill substituting three 8-hour shifts for two of 12 hours, without reduction of pay, and finding its expense increased 30% and its output increased 50%. The daily output increased 125% in the case of the enamel workers.

In piece work where the workers have objected to shorter hours on the ground that it would mean a cut in wages it has been the universal experience that after a time the workers actually turn out more pieces in the shorter hours, and therefore earn better wages, and the work is more carefully done.

Shorter hours for women. It is especially desirable that women have at least as short a working day as men, because of the usually double burden of domestic duties and wage earning. There are few working girls that do not have at least mending and laundering to do in the evening, and many married women must take the entire care of their homes and children before and after work, and some of them must darn and cook for the male members of the family as well.

Long hours are dangerous for women because overwork which strains their endurance is more disastrous to them than to men and causes more lasting injury.

"Deterioration of any large portion of the population inevitably lowers the entire community physically, mentally and morally. When the health of women has been injured by long hours, not only is the working efficiency of the community impaired, but the deterioration is handed down to succeeding generations. Infant mortality rises while the children who survive are injured by inevitable neglect." (Judge Louis D. Brandeis.)

Woman's land army. Legislation may be needed soon to insure right conditions in the woman's land army, for the farmer is coming very slowly to regard his farm as a species of industrial plant rather than as an extension of domestic service.

Where the land army has advanced under the barrage of a war emergency the machine gun battery of results produced has demolished many strongholds of prejudice and precedent. There are many who feel sure that introduction of machinery on the farm means woman labor on the farm just as surely and far more promptly than did machinery in the factory. Under the war emergency the National Woman's Land Army and the National League for Women's Service have kept the farmerettes fit by their careful provision for their living conditions. With the removal of their safeguarding influence the women working on farms will have a more difficult time to enforce the standards desirable and already introduced. The farmers need to have the success of the eight-hour day as a war measure kept acutely before them in the days of reconstruction. Women who undertake scientific farming have a wonderful opportunity to demonstrate from the employer's point of view what it can mean to uphold the eight-hour standard and that of proper working conditions for farm labor.

Night work should be prohibited. If, however, long hours of day work are exhausting, what shall we say of night work? Here again, economists, physicians, and experts in labor legislation are unanimous in their condemnation. Because of lack of sleep and sunlight, night work is unmistakably dangerous to health. Man cannot with impunity reverse the order of nature. Day-time sleep is not so refreshing as night sleep, even where day-time sleep can be had. But day-time sleep is not ordinarily within the wage-earner's reach. "Quiet and privacy for sleep by day," says Miss Goldmark, "are unattainable luxuries. Women who work at night fare particularly ill. Those who are married cannot postpone the regular household necessities which await them in the morning, such as cooking breakfast, dressing and caring for her children, and the like. Unmarried women, too, whether they live at home or are thrown upon their own resources, can rarely avoid a certain amount of household work,

which combines with the lack of quiet to make impossible adequate sleep by day after night work."

Many European countries long ago decided that night work for women and children was an unnecessary evil, and legislated against it.

Night work is uneconomical. While the wages are usually higher than the day rates, the rate of output is generally lower, especially during the last two or three hours.

Lighting conditions are seldom as good as by day, supervision is often unsatisfactory and women and children are peculiarly exposed to moral dangers.

Women, with their home cares, have great difficulty sleeping by day, and this, together with the unfamiliar meal hours and the readjustment incident to the usual weekly change from day to night shift, such as occurs in many industries, combines to undermine the health of women. The Chief of Ordnance of the U. S. Government in November, 1917, stated, "Night work for women and children should be prevented as a necessary protection morally and physically."

One day of rest in seven. If night work and long hours are bad for women in industry, so is the succession of days of labor without a break. Public opinion is coming to realize the necessity of one day of rest in seven. The British Health of Munition Workers Committee reported that in spite of the urgent demand for war time production "the evidence before the Committee has led them strongly to hold that if the maximum output is to be secured and maintained for any length of time, a weekly period of rest must be allowed. Except for quite short periods, continuous work . . . is a profound mistake and does not pay. . . . Output is not increased." It therefore ruled that "The seventh day as a period of rest is good for mind and body" and strongly recommended that seventh day labor be abolished for men, women and children. A seven-day week is inhuman, wasteful and unnecessary. Steady employment for eight hours a day or more, seven days a week, will impair the health, dwarf the mind and lower the standard of living of the workers. Sunday laws cannot regulate this. The desire for one day of rest in seven must come from the industrial world.

On social, economic and religious grounds it seems desirable that this day of rest should, as far as possible, fall on Sunday. This is the law in France and Italy. It is a distinct advantage that the bulk of the population should have the same free day in order that group thinking and spiritual life should have a chance to develop when released as completely as possible from the shackles of industrial life and duties.

The advisability of one day of rest in seven is almost as old as civilization itself. The Bible is full of references to traditions that were of long standing even at that time.

The Federal Bureau of Labor in 1910 conducted an investigation which showed that of 173,000 employes in blast furnaces, steel works and rolling mills in the U. S., 50,000—almost 30% of the whole, were working seven days a week. Twenty per cent worked 12 hours on each of these seven days, 43% worked 12 hours a day, six days a week or more. Since 1910 the amount of seven-day labor has been considerably modified so that probably 5% may be taken as the proportion of persons engaged in seven-day labor for the entire country. This would give a total of 4,500,000 people engaged in industrial and non-industrial labor seven days a week.

Legal aspects. The threatened strike of the four great Railroad Brotherhoods in September, 1916, made the eight-hour day a storm center of discussion. In the excitement people failed to remember that hours of labor had been the subject of the first protests of labor organizations, back in the thirties and forties, that hours of labor had been the subject of the first labor legislation in the country, and that a ten-hour law for children was passed by Massachusetts in 1842; yet in 1910 only 7.9% of the wage earners of the country were employed in establishments in which the eight-hour day was observed, though the percentage is larger now, due to the government insistence upon the eight-hour day in its war contracts. Under the phrase, "Hours of Labor," are included laws regulating the working day, providing for rest periods, prohibiting night work, and providing for one day of rest in seven. These laws, except perhaps the prohibition of night work, should apply to men as well as women. The world would probably be better off if men too worked only eight hours daily and never at night. The eight-hour day is still the

objective of workers and the law should limit the working day to eight hours, the week to forty-eight. This will insure one day of rest in seven, a provision which should be made certain by a special statute.

Originally, in the United States, Sunday was specified as the day of rest, but in the development of modern conditions it has seemed necessary for some to work on Sunday and so the type of law now advocated requires one full day of rest in seven, a certain percentage of each worker's days of rest to fall on Sunday. Exceptions and overtime should not be permitted, as many states do now. The idea is that no employed person, trained nurses and those in domestic service not excepted, work more than eight hours a day.

One point that should be emphasized is the excessive hours permitted during the Christmas rush. If it is necessary to keep the stores open 12 to 14 hours at that time, which is not a demonstrable fact, the employees should work in shifts.

Men have fixed the length of their working day largely through collective bargaining, but six states have an eight-hour day law in reference to miners and many states have declared eight hours a full day's work for public and municipal work. These laws have been based on the "police powers" of the states. As the Kansas Court said, "It belongs to the state, as the guardian and trustee for its people and having control of its affairs, to prescribe the conditions upon which it will permit work to be done on its behalf."

The Supreme Court of New York has decided that "night work by women in factories is so generally and substantially injurious to their health that the legislature was justified by public considerations in preventing the evil by forbidding the cause," but only 10 states prohibit night work for women, and 27 prohibit night work for minors. Work between 10 p. m. and 6 a. m. should be prohibited to women and minors in factories, mercantile establishments, and offices. Telephone and telegraph companies have been exempted, and public service in cases of emergency has also been exempted. Emergency, however, should not be permitted to weaken the enforcement of the law. Where exemptions are seemingly justifiable there should be a statute providing that no woman *under 21 years of age* be employed in the exempted occupations between 10 p. m. and 6 a. m.

The basis and object of prohibiting night work is similar to the basis and object of this minimum wage law, the New York statute reading, "In order to protect the health and morals of females employed in factories by providing an adequate period of rest at night, no woman shall be employed or permitted to work in any factory in this state before six o'clock in the morning or after ten o'clock in the evening of any day."

Investigations among munition workers in England has definitely brought out the need and benefits of rest periods for workers. In the United States provision for a rest period has been included in the laws regulating the hours of labor. After four hours' continuous work, one hour should be provided for rest and luncheon. But the number and duration of rest periods should, however, be determined in accord with the physical and mental stress and complexity of the occupations, and should vary for different occupations. It is to be hoped that in time regulations will be made according to the processes and occupations; this was followed to a limited extent in England and will probably be a development of the future here. The Supreme Court, in quoting the decision of the Georgia court, states, "If a law which, in essential respects, betters for all the people the conditions, sanitary, social and individual, under which their daily life is carried on and which contributes to insure for each, even against his own will, his minimum allowance of leisure, cannot be rightfully classed as a police regulation, it would be difficult to imagine any law that could"; this has made it clear that a law, proven to be for the welfare and best interests of the people, will be allowed to stand.

CHAPTER IX

LABOR LEGISLATION (continued)

A Fair Living Wage, Mis-named a Minimum Wage

ALIVING Wage. Another phase of legal recognition which is gaining attention is the so-called "minimum wage." This is a misnomer as the term implies the least wage possible to be paid to the beginner in an industry. The term "living wage" is interpreted by social workers to mean the lowest wage upon which a worker can live an economical, carefully-budgeted, normal life without pauperization or privation to health of mind or body. With the minimum cost of living advancing from \$8.00 a week in 1910, to \$15.00 a week in 1919, it is clear that legislation on this subject is necessary since in 1916, 75% of the women workers in the United States were earning less than \$8.00 a week, 50% were earning less than \$6.00 and 15% were earning less than \$4.00!

The living wage for its workers is merely a "necessary first charge on industry." It is merely a human replacement fund, a retaining fee, for labor.¹⁹ "There scarcely seems need of arguing," says another writer, "that there is need for minimum wage legislation in many industries and in commercial and clerical pursuits. Even the man on the street knows that for a large number of employes, especially women, the wages fall below the minimum requirements of individual existence, to say nothing of family obligations which often rest upon the worker."²⁰

Minimum wage legislation is not a matter, therefore, of philanthropy, but is a matter of industrial efficiency. Practically every consideration of self-interest should convince the employer that his workers cannot turn out a large product at a small cost unless they are well fed, properly housed, and supplied with a reasonable amount of the comforts of life. Contentment and satisfaction have no less to do with the productivity of a woman

¹⁹ Malston, H. B., American Economic Review, vol. V Supplement, p. 285.

²⁰ Rubinow, I. M., *ibid.*, p. 287.

working in a garment factory than they have to do with the productivity of a Jersey cow.

But the self-interest of the employer is more deeply involved even than this. Since the workers are in themselves in large measure the ultimate consumers, it is impossible for them to buy the products which they have made for their employers unless they are provided with an adequate wage. The inevitable result, therefore, of wages below the minimum required for existence is the cutting down of consumption, the limitation of production and the reduction of profits.

The proposition that low-paid workers are necessarily cheap workers has long since been exploded. Many employers have found it possible to cut labor costs by increasing wages in order to attract a superior quality of workmanship or service. Productivity of labor and wages interact; neither can be high for any length of time unless the other is high also. For this reason not a few employers have voluntarily adopted the policy of paying somewhat more than is generally paid in their communities for similar labor. They find that by so doing they can get a better grade of worker to begin with and one who will prove a still more productive worker because of his fair wage.

It is not true, of course, that high wages invariably prove an incentive to intelligent, faithful, eager, and hence profitable service. Much depends upon the worker's scale of wants and opportunity for recreation and enjoyment. One major difficulty with the negroes in certain parts of the South is the fact that they can earn in three days all they care to consume in seven days. An attempt to secure more work from them by offering more pay would be folly. The result would be just the opposite of that which was desired.

Moreover, workers must be hopeful about life. They must have some sense of economic security, some chance for pleasure and enjoyment, else additional wages will not appeal to them. "What's the use?" they ask; and they are right. Man does not live by bread alone. The laborer must see his extra wage translated into home and children and the companionship of friends, else it will not prove an incentive to additional effort. Human labor is productive in proportion to its intelligence and to the quality of its ideals. Culture has a very definite bearing on the productivity of human effort.

Objections to minimum wage laws.

(1) *Replacement of women by men and boys.* It is also asserted that the legal minimum wage will cause wholesale replacement of women and girls by men and boys. For this assertion also there is no support in the reports from the states which have had the minimum wage in operation for some time. "It is based," says a recent writer, "on the assumption that in most occupations males render a better service than females, and that females are employed because they work more cheaply." So long as there are occupations for which women are peculiarly fitted, it is not at all likely that the minimum wage will displace female workers. In most occupations the effect of the minimum wage is simply to strengthen the bargaining power of the workers and to give them the wage which under ideal competitive conditions the employer would be compelled to pay without legal compulsion.

(2) *Minimum wage drives out industry.* What is regarded by some as a still more formidable objection to the minimum wage is its effect upon industry. It is frequently asserted by employers or for them that the enactment of a minimum wage law would either force them to move into a state which had no such law or else force them out of business altogether. This raises the question, of course, as to whether society wishes to protect parasitic industries. If an industry cannot pay a living wage to its workers, may society not ask itself the question as to whether such a business ought not be outlawed altogether? "The issue here," as one authority puts it, "is the lowering of the standard of wages in order to secure the continued existence of such an industry. But such a concession enables an industry to flourish without paying the whole cost of maintenance of those whose time and services it uses. Its workers must be partly supported by the earnings of others, who are thus practically subsidizing the under-paying industry. Such a trade has well been called 'parasitic,' since its existence depends on the bounty of others."²¹ In Australia and in most American states where the minimum wage has been adopted, the financial condition of the business, that is, whether or not the business can stand the payment of the minimum wage, has not been taken into con-

²¹ Commons, John R., and Andrews, John B., *Principles of Labor Legislation*, p. 183.

sideration. In fact, the financial condition of the business must be ignored if we are not to overthrow the whole principle of the minimum wage. As a matter of fact, however, there has been no wholesale exodus of business from the states which have adopted the minimum wage into states which have not regulated the wages of its women workers. The confidently expected simply has not happened. Moreover, as the adoption of the minimum wage becomes more general this objection will lose even such appearance of validity as it now has, just as it has already lost its force among those employers who recognize the distinction between low wage and low labor costs.

Even if some states should by means of minimum wage laws rid themselves of industries which are incapable of paying their workers enough to support themselves in decency, it is difficult to see how such states would lose thereby. All such industries being parasitic, they should be eliminated as far as possible from our industrial life anyhow. For example, if Oregon and Washington could load such industries on to Indiana or Tennessee, it would seem that the far Western States would have no ground for complaint, but that it is the people of the latter two states rather than of the former two which should object to the adoption of the minimum wage in Oregon and Washington. For example, just as a business which cannot meet its maintenance and depreciation charges is economically unsound, so an industry which cannot pay the maintenance and depreciation charges of its workers is likewise economically unsound. Such industries become a tax upon the legitimate business. Would not any state be justified in relieving its independent and self-reliant business men of the unfair burden of the state's parasitic industries?

(3) *Minimum wage improves basis of competition.* The most wholesome result of the minimum wage law, aside from its benefit to those concerned, is the placing of industry upon a higher competitive basis. Where the minimum wage has not been enacted, women compete with each other not on the basis of real fitness for the job but on that of willingness to accept anything offered them. In those states which have enacted minimum wage legislation, however, women are permitted to compete only on the basis of efficiency. To cut living expenses below a fixed minimum is regarded by those states as a form of "unfair" competition. No one assumes that the minimum wage will guar-

antee to women and girls all that they are entitled to, namely, the full product of their services. In order to do this, other methods will have to be devised. Meanwhile, however, the minimum wage goes to workers upon whom the conditions of modern industrial life rest most heavily. They cannot wait for the whole loaf, but are eager to accept a half loaf instead. "If the obtaining of these immediate benefits," says a writer on this subject, "sacrificed or delayed the obtaining of some more sweeping and radical future benefits there might be some justification for opposing the present movement. But no one can prove any such thing as that. . . . A growing sense of the remorseless tragedy of the helpless toilers brings daily increased strength to the movement for a minimum wage."²²

The mother's pension. Another legal remedy which has great possibilities is the mother's pension, provided the law is carefully drawn and judiciously administered. The purpose of such legislation is to keep the family intact and to prevent the mother's going out into industry at a time when she could really serve society to better advantage by remaining in the home. Such women constitute no inconsiderable part of the total number of female breadwinners, and we should welcome any reasonable method of relieving them of their task of earning a living while performing the function of a housewife and mother.

Provision for old age. It is estimated that of every one hundred men 25 years of age, only 64 will be living at 65. In other words, 36 per cent of the young men who reach age 25 do not live to old age. The old-fashioned individualistic method of providing an income for that period of life when earning power begins to decline or ceases altogether is still insisted upon as an obligation incumbent upon the individual himself. In the light of the facts just stated, however, it is difficult to understand why every man is under the obligation to accumulate during his early manhood a sum which will provide him an income that will be necessary in only two-thirds of the cases. It is evident that some more scientific method of providing for old age must be adopted—some method which will take into consideration the fact that

²² Ghent, W. I., How the Minimum Wage Works, *Independent*, Feb. 5, 1917, p. 220.

not every man reaches the period of old age, and hence that not every man need make provision for such contingency.

But even if all workers living at age 25 should long outlive their full productivity, it would be impossible in the vast majority of cases for them to accumulate a sum which would make adequate provision for the period after their earning power had practically ceased. Particularly is this true of women workers. A recent Michigan report found it "significant" that of more than eight thousand women investigated, 80 per cent reported that they could not save. One old lady, who was doing hand sewing in a garment factory, had, according to the report of the commission, worked all her life and had lived a life of strict economy. Her health had been good but she had been obliged to take care of her sick husband. After working fifty-five years and being careful and well most of the time, this woman was found to have saved only about \$200. At the time of the investigation she was earning \$7 a week, with about three months' lay-off during the year. Obviously it is impossible for such workers to make adequate provision for old age.

Since this is the condition which prevails among working women, some means other than individual saving must be found for providing them with a competency when they shall have reached the end of their industrial usefulness. So far nothing short of compulsory state old-age insurance seems to fill the need. Until the state shall have discharged its obligation to these workers by seeing to it that they earn enough to purchase old-age security collectively through private agencies for co-operative saving, the state should provide old-age insurance, which might be maintained in part by the workers, in part by the industries in which they are employed, and in part by general taxation.

Living wage endorsed by the War Labor Policies Board. The U. S. War Labor Policies Board has been very influential in recommending the payment of a fair living wage in plants working for the government. In the Midvale Steel Company's plant at Nicetown, by a decision of the War Labor Board, minimum pay was fixed at eighty cents an hour for first-class machinists and tool-makers, fifty-five cents for helpers, and sixty-five cents for specialists. It was also ordered that women receive the same pay as men for the same sort of work and that no woman shall

receive less than thirty-five cents an hour after working for three months.

Minimum wage should be fixed by a commission. The need of earning a living wage has been fully discussed in Chapter III., together with the insufficiency of wages, in Chapter V., so no new argument is needed here that the fixing of the wage as related to the cost of living for each locality should be determined by a legally appointed commission, which can meet often enough to adapt the wage scale to fluctuations in the cost of living and to standardize wages paid in different industries in the same locality. For instance, the Massachusetts Minimum Wage Commission found that in the candy industry one employer was paying 56% a week less in wages than another employer in the same town.

What happens when a minimum wage is not a living wage. When an employee is paid less than a living wage she either breaks down physically or is supported in part by some relative on what he makes in another industry, the latter industry thus helping to support the parasitic one. This is the case when a girl does not pay her board, or when other members of a family are forced into wage-earning to meet the family deficit.

To justify the payment of a living wage to all workers, employers will have to recast their judgment as to the value of different types of labor. The floor-cleaner, the scrap-sorter and the errand girl may not be worth the minimum wage as fixed by law and yet they may be essential factors in the output and upkeep of the factory, and so should be paid a fair portion of the proceeds of the industry. In a certain sense this class of service should be especially rewarded because of its routine, monotonous character, and the lack of opportunity for advancement.

Equal pay for equal work. The question of equal pay for equal work needs no further argument than was given in Chapter IV. The war has made the problem more acute by increasing the number of instances illustrating the justification of this principle because of the entrance into industry of thousands of women who have not worked before, and in the direct substitu-

tion of woman labor for man labor on the same identical job. In order to lessen the difficulties of adjustment after the war, to maintain the wage standards slowly built up by labor organizations to prevent the lowering of standards of living, to eliminate unfair competition between employers, to prevent women from becoming the underbidding competitor of man in the field of labor, and in the interest of economic justice and fair play, wages paid should be in strict accord with the output, and women who really do the work of men should receive the same wage.

The U. S. Chief of Ordnance commanded the manufacturers of war supplies that "when women are employed in work hitherto done by men, the standard of wages prevailing for men in the process should not be lowered where women render equivalent service." There are many cases on record where women actually do the work far better than men. The Commission on Social Service of the Federal Council of Churches of Christ in America prints the following quotation from Mabel Potter Daggett:

"Henrietta Boardman, 'somewhere in England,' has arrived at one of the highest skilled operations in munitions, tool-tempering. There sits next to her a skilled tool-temperer and the tools he tempers will last for three-quarters of an hour. They are considered good by the trade if they last three-quarters of an hour. But the tools that Henrietta Boardman tempers are lasting sometimes all night. 'It's curious,' the foreman directing my attention to Henrietta Boardman's work commented, 'great color sense a woman seems to have. Nothing like it in men. Lots of 'em are even color blind.'"

In this connection it is gratifying to note that the Wisconsin Industrial Commission, considering the necessity for the maximum output of the industries of that state, recently declared that the necessity for increased output should be met by securing new workers to fill the demand; and that this could be done by adopting the "*obviously right method of paying female workers the same rates as men.*"²³ Now that this foremost labor commission has gone on record as regarding equal pay for equal work as

²³ U. S. Dept. of Labor Bureau of Labor Statistics, Monthly Review, vol. V, No. 4, pp. 30-32.

"obviously right," we may hope that it will not take many years for this idea to seep into the consciousness of the rank and file of the American people.

Thus are women coming to be recognized as economic factors and society is trying to apply Christian principles of social justice in its dealings with them. A British contractor is reported to have had so much faith in the ability of women to do man's work that he offered to build a battleship with only six men in his plant. It is reported that a ship was launched near Glasgow, Scotland, built entirely by women.

Legal aspects. Many years ago an English Lord Chancellor declared "necessitous men are not, truly speaking, free men." The minimum wage law is an attempt legally to fix the starting point of the worker at a living wage, to increase her bargaining power. We have been especially proud in America of having a standard of living above mere existence; the living wage is an effort toward making this boast a reality. Minimum wage legislation has referred only to women and children because men have generally established a minimum wage through their unions. Twelve states have enacted minimum wage laws since 1911, and the constitutionality of these laws has been decided in cases fought through every court. The laws should apply to all industries as they do in eleven states, and should include women and minors. The phrase "to cover the necessary cost of living and to maintain the health and welfare of the worker" is the most satisfactory principle for determining the wage. Small employers should not be exempted from the act. Since it has seemed just to exempt apprentices and the subnormal worker from the act, the percentage of such persons to be employed in one shop should be strictly limited. The minimum wage should be fixed by a commission with powers to determine wages in accord with varying conditions; this commission should have power to enforce its orders and to prosecute those who fail to comply with them. In order to determine what the minimum wage should be the commission must have the authority to conduct investigations, examine books and witnesses and to enter the factory premises. Decisions of the Commission may be subject to review by the courts on points of law but not of fact, and care must be exerted that this clause is not used to weaken the

entire law. Qualifying phrases such as "if compliance (with the provisions of this act) would prevent a reasonable profit" have no place in a minimum wage law since "the minimum wage must be primarily based on the needs and qualifications of the class of workers concerned, not usually on the affluence of the employer."

A Minimum Wage Bill is defined as "an act to protect the health, morals and welfare of women and minors employed in industry." This is at once the justification of the minimum wage and the grounds upon which its constitutionality has been affirmed, as in the opinion of Judge Cleeton in the Oregon case. He says: "The complexity and intimate relations of our present-day civilization are such that there is a necessary dependency of the public welfare upon the health, morality and vigor of our women and children, when considered from physiological, sociological and moral standpoints. The women are and are to be the mothers of our future citizens, and the children of today will be the citizens of tomorrow, and when any considerable number of them are employed at wages which reduce them to beggary or deny a sufficient compensation to preserve health, the insufficiency of such wages becomes a powerful factor in determining the social, moral and physical status of the body politic and is a matter of public concern."

CHAPTER X

LABOR LEGISLATION (continued)

Safety, Sanitation and Health

PHYSICAL conditions of work. Whether our nine million working-women receive a living wage by working during a reasonable number of their daylight hours is a matter of grave social importance. Another matter of scarcely less concern relates to the places where women work and the kinds of employment in which they engage. There is no longer any question about the need for sunlight; for ventilation; for ample, sanitary, and comfortable restrooms; and for nourishing and wholesome lunches, with time in which to eat them. These are necessities where women are employed. Yet the providing of them cannot safely be left to the employer. A brief visit to almost any of our factories or second-rate stores would furnish abundant evidence of the truth of this statement.

Legal aspects. When women sat by their own firesides and spun and wove, each was responsible for the conditions under which she worked, but now when thousands of women work in a single factory with dangerous, heavy, rapidly moving machinery, conditions in that factory become a matter of concern to society. The various laws and codes of the states referring to safety, sanitation, and health are the result of attempts to improve industry and to make it safe; the three are necessarily closely related, though each is represented by different acts of legislature. One of the earliest efforts in the way of safety laws was the passage by Massachusetts in 1886 of an accident reporting law. Accident and occupational disease reporting laws should require all employers to report every accident within twenty-four hours of its occurrence, using a standard form, giving the employer's name, the time and place of the accident, details concerning the injured person, and the cause, nature and

extent of the accident. Occupational diseases should be reported by the attending physician. Accident and disease reporting laws are fundamental; they should carry a penalty for non-compliance and should be strictly enforced. These reports may form the basis for other legislation, such as insurance rates, accident prevention, and health measures.

A full measure of safety should, of course, provide for the prohibition of certain persons from certain occupations. Women and children should not be permitted to work in mines, including salt and oil wells, or in the so-called "extraction of minerals" occupations, because such work has been proven to be dangerous for women. Mining should be safeguarded for men by short hours and there should be strict enforcement of all precautions and safety regulations. Women have generally been prohibited from serving as bartenders, or as waitresses in saloons, and they should not be employed in cleaning moving machinery, or in lifting heavy loads. They should not be permitted to work at china glazing, at felting hats made of rabbits' hair, or in white lead works. Many industries by slight changes may be adapted to women workers, although it is probable that with the accumulation of evidence other industries will be added to the so-called dangerous trades. As scientific knowledge increases it may become possible to do with other industries what has been done with the match industry, simply to prohibit the use of the poisonous substance, since a safe method of manufacturing matches had been discovered.

The frequency of accidents has awakened the public to the dangers involved in working near machinery, and so laws have been passed requiring, as in New Hampshire, that "it shall be the duty of every such employer to provide and maintain such safeguards, safety devices, appliances, and lighting facilities, and to do such things as may be reasonably necessary and practicable to lessen the dangers of such employment." It is obviously impossible for an act of the legislature to provide especially for every kind of machine safeguards, and so the state labor commission should be empowered to make rules "with respect to the use of mechanical contrivances," likewise inspectors should be provided to inspect every factory at least once a year. Penalties for non-compliance with the act should be included in the act and workers must be forbidden to remove safety devices while

at work. It is frequently a temptation to remove these devices in order to speed production. Under safety laws are included fire protection laws. Fire laws undertake to cover fire prevention, fire extinguishing, fire escapes. Elaborate building regulations have gradually developed and the wisest provision seems to be for all building plans to be first approved by the building department officials. In these plans fire escapes and fireproof construction are included. Fire extinguishers, hose, and sprinkler systems should be required in all buildings.

A phase of safety and health regulation that has not been satisfactorily met is the ventilation and lighting of buildings. Probably the best law on the subject of ventilation is that of New Jersey of 1912, which includes "all places where the manufacture of goods of any kind is carried on" and requires 250 cubic feet of air space per person during the day and not less than 400 cubic feet of air space per person during the night. This definite phrasing is more satisfactory than the use of the terms "proper" or "reasonable," often used to describe the amount of air required. The removal of dust and fumes is most important to workers because dust and poisonous gases are among the serious causes of disease among workers. There are fans and these should be required in all factories in which "excessive heat, steam, gases, vapors, dust or other impurities may injure the health in the process of manufacturing." Proper lighting is a subject that requires technical knowledge, but the injurious effect of poor lighting is evident. Laws so far have not gone beyond requiring that "reasonable" lighting facilities be provided. In some instances they give the industrial commission authority to issue more definite regulations.²⁴

Forty-four of the forty-eight states have laws of some kind requiring seats for women workers, yet in many of them these laws are either not enforced or employees are made to understand they are not to use the seats during working hours. Laws requiring seats should provide penalties for non-compliance and the public should not resent finding workers seated, thus permitting employers to feel that they lose no trade by providing comforts for their workers. Laws should require toilet and rest room

²⁴ The American Museum of Safety Devices, New York City, is always glad to explain safety devices for particular machinery and the director may be consulted as to known ways of reducing occupational risks.

facilities and should insist that all factories be kept in a sanitary condition. Safety, sanitation, and health laws are intimately related to the working out of health insurance and workmen's compensation, one of the results of the workmen's compensation laws having been a marked decrease in number and seriousness of accidents because of the "Safety First" movement, which was a by-product of workmen's compensation. A marked improvement in health conditions is confidently expected from the adoption of health insurance with more scientific and thorough health and sanitation laws.

Child labor. A vital factor in our national economy is the conservation of children in industry. Child labor is low wage labor, and is unfair to both adult and child. It makes for inefficiency, deprives the child of its opportunity for an education, and increases the liability to accident and to physical deterioration. The great need is for federal legislation which shall be uniform for all states, since the location of a factory is often determined by the possibility of obtaining cheap labor and an industry may migrate from a protected state to one where child labor is not prohibited. The children of the country are a national asset and their highest development should be fostered regardless of their residence in this or that state.

Child labor legislation has passed the experimental stage and the effort should now be to "co-ordinate and harmonize the laws, to bring them to a common standard of effectiveness." There is much more included under child labor legislation than prohibition of child labor, though that is the beginning. There should be absolute prohibition of the employment of any child under 14 years in any industry. Employment of children from 14 to 18 years should be supervised and be limited to certain day-time occupations. Continuation schools should be established for employed children of 14 to 18 years. Children should be required to obtain permits before being employed; these permits should be issued only after a physical examination and the completion of the seventh grade as a minimum of education. It seems advisable to have the superintendent of schools and the public health officer issue the work permits. Strict regulations have to be made concerning proof of the child's age and education. Every

state should have a compulsory education law and should make provision for the physical inspection of children in the schools. Occupations especially dangerous to the health and morals of children should be closed to them, at least until they are 18 years of age. Child labor laws in the past have been ineffective, largely because proper provisions have not been made for their enforcement, and because of the weakness of compulsory school attendance laws, so that these are points to be carefully watched now. Child labor legislation is closely related to mother's compensation legislation, especially because some states have exempted children of widows from these laws; mother's compensation aims to obviate such exemption.

As all social legislation is directly concerned with the welfare of the community, the various kinds are mutually dependent, and no one is complete without the others. Proper administration of these laws is essential to their working out and it is here especially that the ordinary citizen has a plain responsibility to assert herself and see that the laws of her state are enforced.

CHAPTER XI
LABOR LEGISLATION (continued)
Collective Bargaining

WHAT is collective bargaining? Collective bargaining is the name given to any kind of organization by means of which workers as a group discuss the conditions of their work, wages, etc., with their employers and arrive at definite and clear arrangements for a working relationship. This implies, of course, that the workers themselves come together to harmonize their own ideas so that they form a united group and will be governed by the decision of the majority. Trade unions are one form of collective bargaining; shop committees, shop stewards, works councils, etc., are other names for forms of collective bargaining. The meaning of these various terms should be studied carefully to get at the inner differences in organization and principle which they indicate. Collective bargaining should be recognized as the evidence in an industrial world of the working out of those same principles of democracy and of self-government through chosen representatives which we have come to associate with the American ideal of government in the political field. Men and women who give their labor and their life to the upbuilding of industry, and therefore of the community, are entitled to be treated as human beings with inherent rights of association and the claiming of a voice in the affairs which control their destiny, whatever the field where those affairs occur.

But in this as in all democratic affairs seeming justice or advantage to the individual or a small group must never be had at the expense of the community as a whole; workers in claiming their rights must question whether they are jeopardizing an industry that is indispensable to the community as a whole, and employers in weighing those rights against their own as captains of industry must measure the whole issue first by the fundamental principles of human justice and fair dealing as between

citizens, then by the relation of the industry to public needs and to the public right to be considered a party to the issue, and only at last by the immediate standards of the effect on the industry itself. Harsh as this last statement may seem at first glance, it will be found that it is a viewpoint now held by a considerable group of successful employers, as well as by disinterested citizens. Given a fair trial employers find this theory of industrial relationships makes thinking beings out of human automations, increases production, promotes the community's welfare, which, of course, increases the market for goods, and in every way serves the manufacturer as well as the public good.²⁵

Collective bargaining is sound in principle. If collective bargaining were properly recognized in all industries the need of strikes would be reduced to a minimum. A strike is a defiant means of forcing the demands of the workers upon the employers by refusing to work or to let other workers fill their places. Sound labor legislation for the protection of both men and women workers must be promoted, but legislation cannot carry the whole responsibility for the solution of all labor problems. Laws are not enacted quickly enough and they cannot be made to cover particular or local situations. The co-operation and backing of the workers themselves are needed to study and to solve their common problems. Our modern life is not founded on individual initiative. It is founded on the principle of organized effort. Employers find that they cannot meet their problems without great trade organizations: it is needless to say that an individual worker cannot deal with so complicated a situation without organization on his part in order to establish a working relationship between the two groups.

The need for organization is especially great among women workers. In the past women have thought of their problems as personal; now through organization, they are learning to meet their economic problems through group action. Women are comparatively new as economic factors, they are unused to the man-made industrial world, they are timid. They are apt to

²⁵ See the Reconstruction Program of the English Quaker Employers referred to on page 32 above. Also recommendations of the U. S. Chamber of Commerce, in *Nation's Business*, Jan., 1919, p. 45.

accept, without question, wrong industrial conditions, including low wages, thus actually lowering wages and therefore lowering also the standard of living for both men and women.

In the complex industrial system the wage-earning girl is helpless standing alone. She works without thinking. She must not only learn to do her own thinking, but she must learn to think as one of a group. The individual girl may not care especially about the conditions under which she works because she may be looking forward to marriage when she assumes her working days will be over. She fails to realize that even though she stops working the factory continues to run, and some other girl takes up her work, and that the job with a girl working on it is a constant proposition. The other girl who follows her begins where she left off. If she underbid her competitors the other girl must underbid in order to get the job.

If she stood for fair conditions the other girl will begin with fair conditions. If all women will stand for fair conditions of work and the giving of good service in return for a fair living wage the solution of the industrial problem will not be delayed much longer.

The National Woman's Trade Union League is the first organization which has attempted to deal with all the problems of women in industry on a national scale. Its platform embraces the organization of all workers into trade unions.

Women encouraged to organize. Distinct encouragement to organization among women workers has been furnished by the position which the United States War Department took in the letting of contracts for the manufacture of army clothing. Secretary Baker announced the establishment of the board of control of labor standards in army clothing and put Mr. Louis Kirstein, of Boston, at the head of this branch of the service. Associated with him were Mrs. Florence Kelly, General Secretary of the National Consumers' League, New York, and Captain Walter E. Kruesi, Quartermaster's Corps, U. S. Reserve. The appointment of this board was due to complaints of unfavorable conditions under which clothing for men in the army was being made. After investigation it was decided to insert into all contracts for the manufacture of army clothing the following:

"The contractors shall enter into collective bargaining arrangements with their employes.

"*Alternative.* Employes shall not be refused the right by the contractor of appointing a representative of their number to present to the contractor any matters that they may wish to bring to his attention. The refusal of the contractor to afford such representative or representatives an opportunity of conferring with him, shall entitle the government, at its option, to cancel this agreement."²⁶

Since the greater recognition of the interest of the worker was a by-product of the great war, it is gratifying to know that the interests of women in a hitherto much exploited field of labor have been thus protected and conserved by the United States government.

When women shall have learned to organize themselves into more or less homogeneous groups and select the best members of their organizations to represent them in fixing wages, hours of employment, rest periods, sanitary conditions, etc., with their employers, much will have been accomplished toward putting woman on a plane equal with man in the industrial world.

It must be admitted, however, that the growth of labor unionism among women has been slow. It cannot be denied that woman in her earlier years continues to look forward to marriage, and that this often keeps her from joining an industrial or a trade union. Even though statistics show that in a large number of cases she is disappointed in this hope, yet so long as she has it she can be only imperfectly unionized. Nevertheless, with the growth of the desire for economic independence, with the spread of education, and with the increased necessity that woman remain in industry, though married, there would seem to be some hope that unionism among women will grow more rapidly in the future than it has in the past. The broadening scope of union activities which will offer a woman a field for the exercise of her developed powers of leadership, even after marriage may have caused her to withdraw from industry, will undoubtedly conserve to the industrial group many of the hope-

²⁶ U. S. Dept. of Labor, Bureau of Labor Statistics. Monthly Review. Vol. 5, No. 4, p. 32.

ful products of women's union experience. Women who have labored and who have been union members can render a real civic service by retaining their active interest in union development after marriage. Theirs is a social asset that should not lie fallow.

Organization for Industrial Peace. Labor unionism among female workers must be supplemented by machinery which will make the combination effective, yet which will at the same time give the employer a fair deal. In a few cases provision for a fair deal to both workers and employers has been made in what is known as the industrial *protocol*, the very essence of which is the adoption of the principle of judicial investigation and of impartial arbitration of differences on the basis of ascertained facts. The purpose of the protocol is to substitute intelligent judgment for brute force, and to restrain powerful labor unions from working their own destruction. Many employers who have operated under the *protocol*, would not return to the old conditions existing either before their laborers organized or after they organized but previous to the adoption of the new plan.

Collective bargaining is rapidly being recognized by the captains of industry. In the New York Times of March 15th, 1919, appears the following :

GARMENT STRIKERS GAINING

Union's Head Says 1,124 Firms Have Granted
Demands.

Benjamin Schlesinger, head of the International Ladies' Garment Workers' Union, announced today that to the present 1,124 dress and waist firms, employing about 25,000 workers, had settled with the union, conceding the forty-four hour week, the increase in pay, and accepting the other union standards. About 130 associations and 85 contractors' shops are still out, Mr. Schlesinger said.

The dress and waist strikers will commemorate the eighth anniversary of the Triangle waist shop fire, in which 147 girl workers lost their lives, by a parade and demonstration on March 25.

In the New York Herald of February 5, 1919 under the caption "Bethlehem Steel Accepts Award of Labor Board" the attorney for the Bethlehem Steel Company states that the corpora-

tion has acceded to the decision of the War Labor Board and will inaugurate "an effective plan for collective bargaining between the management and the employes—and that it will at once invite the committees of our employes, heretofore elected, to meet and enter into a conference with the management regarding the details of the plan and such other matters as may seem to these committees to require discussion with the management."

CHAPTER XII

LEGAL RECOGNITION OF INDUSTRIAL WORKERS

Legal Recognition Gaining Ground. It is interesting to see how the recognition of the rights of workers—both men and women—are claiming the serious attention of groups of people in all walks of life, and in all parts of the world. In America strong organizations are working for the enactment of social legislation. The National Woman's Trade Union League, the National Consumer's League, The Young Women's Christian Association, State Federations of Labor; the American Association for Labor Legislation, the National Child Labor Committee, the U. S. War Labor Board, the Woman in Industry Service of the U. S. Department of Labor, the Federal Council of the Churches of Christ in America are some of the national organizations consistently and insistently demanding that there be legal guarantees of justice and fair working conditions to workers in industry.

The existence of these organizations illustrates the growth of the sentiment that industrial conditions are the concern not only of the workers themselves but of the employer, the consumer, the government, and the public. There are self-dependent organizations of workers interested in bettering their own working conditions, altruistic within the group since the stronger members furnish the leaven for the group; inter-dependent associations in which the consumer assists in the maintenance of fair working conditions; socially-minded groups endeavoring to elevate the standard of womanhood; public-spirited citizens conducting legislative campaigns to establish fair conditions as a matter of justice; the government demanding fair conditions in the very terms of its war contracts as a matter of working efficiency; while the Church is vitalizing the whole movement by applying the touchstone of Christian ideals of human sympathy and brotherhood as fundamental to a true democracy.

From the Peace Council section on international labor legislation came the following press despatch under date of January 19, 1919.

PROTECTION OF LABOR ON PEACE SCHEDULE.

Conferees to Base Discussion on Possibility of
Slackening of Laws in Europe.

PARIS, Jan. 19.—The possibility that the demand for labor in debt-crushed European countries may cause a slackening of the laws for the protection of workers will be the starting point of the consideration of the subject of international labor, which was placed yesterday on the conference program after responsibility for the war and punishment of the crimes committed during hostilities.

The conference recognizing the interdependence of all nations, will base its discussion of the subject on the work of the Leeds Labor Conference in July 1916, which approved the resolution introduced by Leon Jouhaux, then secretary of the French Federation of Labor, declaring that the peace treaty should "insure to the labor classes of every country, free from international capitalistic competition, a minimum of moral and material guarantees relative to the following points:

"Right of employment, right of labor organization, change of residence, social insurance, proper hygienic conditions, freedom to work in any country where employment is available under equal conditions with its citizens, institution in all countries of sickness, accident, unemployment and old age insurance, prohibition of labor by children under fourteen years of age, prohibition of night work for women and for adolescents under eighteen, broadening of legislation to insure the health and safety of workers and the creation of both national and international bodies to study, codify and interpret laws affecting labor conditions."

This program, communicated through the Scandinavian Trades Union at Berne in October 1917, by the representatives of labor organizations in Germany, Austria, Hungary, Bohemia, Bulgaria, Denmark, Sweden, Holland and Switzerland, was approved by all of them.

It is recalled that the American Federation of Labor voted for parts of this program at Buffalo, and that the statement of the war aims of the British Labor Party contemplated an International Labor Council with similar objects.

In some points the program to be submitted to the Peace Conference approaches that of the International Socialistic Conference, which is to meet next week at Berne, but unlike that of the Socialists, it is confined to remedial measures applied to specific problems.

Future legislative demands. In the legislative demands of the near future will be included those already discussed in preceding chapters and others necessitated by the entrance of women into new fields of activity.

Elevator girls. At present legislation is needed to limit the hours of elevator girls to nine a day, or fifty-four a week, to decree that seats shall be provided, and that the machinery of the car be so arranged that it can be manipulated while sitting, that night work shall be prohibited, and that no car be trusted to a girl less than eighteen—or better still, twenty-one years of age.

Office workers. Legislation is needed to regulate the hours, and especially the overtime of office workers so that stenographers and typists may not pay the penalty for the employer's late arrival at his office, or for his lack of system in arranging his work.

Women in transportation service. Legislation is especially needed to protect the home and community from evils arising from lack of protection for women in the transportation service by the regulation of hours and the provision of convenient toilet facilities and rest rooms.

Comfort and sanitation. State labor laws and industrial codes should be consulted with reference to provisions for comfort and sanitation. Washing facilities with hot and cold water, soap, and individual towels, should be provided in sufficient quantity and in accessible locations to make washing before meals and at the close of the work-day convenient.

Toilets should be separate for men and women, clean and accessible. Their numbers should have a standard ratio to the number of workers employed. Workroom floors should be kept clean. Dressing rooms should be provided adjacent to washing facilities, making possible change of clothing outside the workrooms. Rest rooms should be provided. Lighting should be so arranged that direct rays do not shine into the workers' eyes. Ventilation should be adequate and heat sufficient. Drinking water should be cool and accessible, with individual drinking cups or a sanitary fountain provided. Provision should be made for the workers to secure a hot and nourishing meal, eaten outside the workroom, and if no lunch rooms are accessible near the plant a lunch room should be maintained in the establishment.

Posture at work. Continuous standing and continuous sitting are both injurious. A seat should be provided for every woman employed and its use encouraged. It is possible and desirable to adjust the height of the chairs in relation to the height of machines or work tables, so that the worker may with equal convenience and efficiency stand or sit at her work. The seats should have backs. If the chair is high, a foot rest should be provided.

Safety. Risks from machinery, danger from fire and exposure to dust, fumes, or other occupational hazards should be scrupulously guarded against by observance of standards in State and Federal codes. First-aid equipment should be provided. Fire drills and other forms of education of the workers in the observance of safety regulations should be instituted. Safety education should be continual and thorough and in the language of the workers until they learn to speak and read English.

Conditions needing correction. Work is more efficiently performed by either men or women if healthful conditions are established. It is usually possible to make changes which will remove such hazards to health as the following:

- a. Constant standing or other posture causing physical strain.
- b. Repeated lifting of heavy weights, or other abnormally fatiguing motions.
- c. Operation of mechanical devices requiring undue strength.
- d. Exposure to excessive heat or excessive cold.

Uniforms. Uniforms with caps and comfortable shoes are desirable for health and safety in occupations for which machines are used or in which the processes are dusty or produce acid fumes. Masks or goggles should be a part of the uniform and worn with equal fidelity where men or women work on processes likely to affect injuriously the skin or respiratory organs.

Home Work. No work should be given out to be done in rooms used for living or sleeping purposes or in rooms directly connected with living or sleeping rooms in any dwelling or tenement.

Hiring, separations and determination of conditions. In establishing satisfactory relations between a company and its employes a personnel department is important, charged with

responsibility for selection, assignment, transfer, or withdrawal of workers and the establishment of proper working conditions.

Women in supervisory positions. Where women are employed, a competent woman should be appointed as employment executive with responsibility for conditions affecting women. Women should also be appointed in supervisory positions in the departments employing women.

Choice of occupation. The opportunity for a worker to choose an occupation for which she is best adapted is important in insuring success in the work to be done.

Cooperation with official agencies. The United States Government and State and local communities have established agencies to deal with conditions of labor, including standards of working conditions, wages, hours, employment, and training. These should be called upon for assistance, especially in the difficult problems of adjustment in the period of reconstruction following the war.

Inquiries regarding the best way to cope with problems connected with the use of woman labor in any way should be directed to the Woman in Industry Service of the U. S. Department of Labor, Washington, D. C., which will either deal with the problem directly or will refer it to the proper state or federal authority to render effective assistance.

The resources of the research section of the Industrial Committee of the Young Women's Christian Association are at all times at the service of industrial women themselves or of those interested in helping them work out their industrial and community problems. Letters should be addressed to the office of the Industrial Committee, National Y. W. C. A., 600 Lexington Avenue, New York City.

CHAPTER XIII

DEMOCRACY IN INDUSTRY

A NEW type of worker. "The war has brought a new self-consciousness to the workers. In such business as the nations now have on hand the men and women who produce are the most vital factors. . . . The women can do much to humanize industry, to elevate it morally, and to democratize its management." (Committee on the Church and Social Service of the Federal Council of the Churches of Christ in America.) The war has opened great doors of opportunity to women. Few trades are barred to them. Suffrage is being granted them the world over. Employers are admitting that they are able to do many kinds of work as well as men, and that they are entitled to the same wage.

Women must face their responsibilities. Whether the women will make good in industry and will perpetuate the high standards established during the war depends upon the women themselves. Legislation, however necessary, will not accomplish everything. The workers cannot in the long run get more than they produce. They must realize that they owe their employers and society an honest day's work in return for a fair day's pay, and that conditions cannot be substantially improved where the workers are intent upon getting maximum returns from a minimum of service.

Need of technical training. There is a need, on the part of thousands of wage-earning women, for better technical training. The agitation for vocational training is a step in the right direction if it can actually fit women for service in a wider range of employments than heretofore. Women have been trained for so few lines of activity that there has been an oversupply of workers in the unskilled trades, and wages have been kept down

in proportion. It would seem a proper function of our public educational system to supply this for both men and women. In many industrial plants training schools are maintained to meet this need. The National City Bank of New York maintains an educational department and conducts classes in economics, finance, foreign languages, accounting, etc.

English for safety a prime requirement. Our foreign-speaking women are at a special disadvantage in industry because of their ignorance of the English language. When one visits the bank of a steel town and finds eight tellers' windows, each with its sign in a different language, one realizes how difficult it must be to run an industrial plant where the same diversity of language exists. Countless mistakes are made by the workers through failure to understand the directions given. And the women are far behind the men in their zeal to learn the language of the land of their adoption.

Provision for higher education. More adequate provision should be made also for so-called higher education. The economic value of college training is no longer debatable. Ways should be opened whereby more girls can and desire to finish high school, and whereby a larger number of these girls can continue their education through college or the university. In order to meet this need many high schools are offering evening classes, and of recent years colleges throughout the country have established extension departments, which make it possible for thousands of workers to do college work while employed. Several of the state universities have established local centers where afternoon and evening classes are organized in such subjects as economics, English, accounting, the sciences, and most other subjects of a regular college course. The greatest difficulty in attending such courses is the fact that they are given at a time when the workers are tired and their minds more or less unresponsive.²⁷ In order to overcome this disadvantage, some way will have to be found whereby the employer, cooperating with the schools, can make it

²⁷ For reasons why adult workers do not continue studying, see interim report of the Committee on Adult Education, British Ministry of Reconstruction, given in brief in the U. S. Monthly Labor Review, November, 1918, p. 62.

possible for workers to give some of their best hours to school work. If this were done in the employer's time, the employer would often be the gainer rather than the loser thereby. Many lines of business are so highly organized that the employers are forced to provide special training at their own expense. Such training is given by mercantile establishments, banks, and telephone companies. A beginning has been made, also, in the movement for so-called "continuation schools" in which the employer releases a worker a certain number of hours a week, usually eight, in which he attends vocational classes in the public schools. In some instances two workers are placed on the same job, each taking his or her turn, week by week, in working in the factory, and attending school. This plan has been followed with boys, and is being successfully worked for girls by the Julia Richmond High School in New York City. Thus we see that a greater responsibility rests upon the woman worker than ever before. She now has the supreme opportunity to make good, to justify the confidence that society has placed in her as an efficient factor in the industrial world.

A new type of employer. Finally there is coming into existence a new kind of employer; a man who regards his business as a means, not simply of acquiring wealth, but of serving his community most efficiently. Such men recognize their responsibilities to their workers, and they are willing to go to any reasonable length to help them to a higher level of economic and social well-being. Such men are striving daily to perfect their organization, to eliminate friction, and to improve their relations with their workers at every possible point. To this end many have established so-called welfare departments, and competent and sympathetic persons have been put in charge whose duty it is to counsel with the workers, not on a basis of philanthropy, but on the basis of friendship and genuine community of interest. Such activities create in the workers a sense of loyalty to duty, a respect and esteem for their employers, and a morale that makes for contentment and for the highest possible productivity as well as for personal achievement, happiness, advanced education, etc.

Recognition of industry by the public. Industrial workers have been heard by the public. A new social consciousness has

been developed in both consumers and employers. Society is now declaring that a fair deal for the workers is part and parcel of that justice and democracy which the world has just vindicated as its ruling principle. It wishes to feel sure that the goods it buys are produced without the spilling of the life-blood of the workers. It realizes that vast sums are spent annually for the temporary relief of conditions that need not have existed, and that these sums might better have been spent in preventing injury to the health and morals of the workers than in trying to repair damaged goods. Employers are fast learning that it pays to keep their employees up to the top notch of working efficiency. In fact employers, employees and society at large are all alike interested in the same cause—a high standard of working efficiency, justice and a square deal to all parties, and the establishment of a lasting industrial peace.

Basis of a working relationship. To establish the desired working relationship of these three factors is one of the most pressing of reconstruction problems. Many plans have been formulated. One of the most complete of these has been worked out by Charles W. Eliot, President Emeritus of Harvard University. In his platform he urges *upon employers* the abolition of all autocratic government in industries which deal with the necessities of modern life; the introduction of cooperative management with equal representation of employer and worker on management committees; the adoption of health insurance as a sound business project; the employment of well trained employment managers to deal with the engagement, distribution, shifting, promotion and dismissal of employees. He pleads for a system of profit-sharing but not loss-sharing, with the company's books open to inspection; and for an effort to diminish monotony and increase variety in the occupation of every intelligent and ambitious employee by shifting from task to task, and providing instruction out of hours. He urges the universal acceptance of collective bargaining through elected representatives on both sides.

On the part of employees he recommends the abandonment of the doctrine of limited output, and urges that each worker strive to perform his task with interest and zeal, and to realize that steady work rather than leisure should be the main object

of life; and that each worker, in choosing his occupation should consider that vocation in which he will work with the most continuous satisfaction and for love of the work itself rather than that in which he can earn his living in the fewest hours a week. He deplores the notion on the part of so many workers that capital is the natural enemy of labor, that unorganized laborers are traitors to their class and that force and violence should be used as industrial weapons, because a widespread strike or even the threat of one may inflict suffering on millions of non-combatants.

Upon both employers and employees he urges the willing adoption of methods of conciliation, arbitration and ultimate decision by a national government board (similar to the National War Labor Board) as efficient means of bringing about just and progressive settlements of all disputes between capital and labor; the realization that the American liberties they now enjoy have been slowly achieved by generations of sturdy, hard-working people who valued personal independence, industry, thrift, truthfulness in thought and act, respect for law, for family life, and for home, and who were always ready to fight in defense of these things. And he asks for general acceptance of the truth that the democracy which is to be made safe in the world does not mean equality of possessions or powers, or a dead level of homogeneous and monotonous society; but on the contrary a free cultivation of infinitely diversified human gifts and capacities, and liberty for each individual to *do his best for the common good*.

The Spirit of justice more important than legislation. Mr. E. B. Woods, National War Labor Board, has given us the following axioms: No amount of legislation can create happiness in the relations of employers and employees. Industrial harmony is largely a private enterprise. The happiness depends on the parties who live together under the roofs of our industrial establishments. No form of organization, however perfect or however approved by the experience of employers and employes in one community, can be made the panacea for the problems of industrial cooperation. It is not so much a form as a spirit that is needed. If democracy in industry exists anywhere or will exist anywhere, it will be in the spirit of those who are in industry, and in the spirit of all for whom industry exists—the

public as well as for those who are direct participants. Shop committees are useless things unless they are the expression of a new spirit of level-eyed reciprocity, of mutuality. When that spirit of eye to eye, and shoulder-to-shoulder-American-democracy-at-its-best is behind these newer devices, which will always be only devices unless they are filled with the spirit of a new time, then we will have fruitful, splendid results.²⁸

[Finally let us realize that with the end of the war has come a powerful recognition of the splendid contribution of labor, particularly of woman labor, to the war. This recognition has been long years in the making; the war has merely served sharply to define it. Labor has come to a realization that the worker holds in his or her hands a new bargaining power with which to seek an increased share in the making of democratic institutions. It is equally true that the rest of us, whether employer, financier, churchman or university thinker, man and woman alike, are now more than ever before ready to recognize that there is sound national and economic thinking underlying the worker's struggle for legal recognition.²⁹

Furthermore the number of us who recognize that the whole fabric of industrial democracy awaits the woof of adequate protection of women workers, and of sound organization and education among them, is daily increasing. But the "rest of us" can do little for the final issue unless industrial women themselves face their responsibility to think and know and act. We can help them; they cannot go far without the rest of us; labor legislation along the lines indicated in this pamphlet is the absolutely necessary means of setting minimum standards on which to build for the common good of the worker, of industry and of the community at large. Public intelligence and public sentiment can carry the new democracy still further; but the future of the working world rests on the shoulders of women workers and on those of the women who make common cause with them. Our first chapter stated, "Women have always

²⁸ Mr. E. B. Woods, National War Labor Board, Washington, D. C., address on Government Awards before State of New Jersey Conference on Democracy in Industry.

²⁹ For conclusive evidence to support the assertion here made see the study of Reconstruction Programs, by Estella T. Weeks, published by the Woman's Press, 600 Lexington Avenue, New York.

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worked," but we must end with the assertion that while they must still work with their hands, women must now work also with mind and spirit,—they must develop among themselves that leadership which will first see the way, then lead us all along it. *(*To aid in that development this pamphlet is sent on its way.

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THE END



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