

Repeal.

SEC. 16. All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Passed the Senate February 28, 1913.

Passed the House March 12, 1913.

Approved as to Secs. 2 to 16 inc., by the Governor March 24, 1913.

CHAPTER 174

[S. B. 100.]

MINIMUM WAGES FOR WOMEN.

AN ACT to protect the lives, health, morals of women and minors, workers, establishing an industrial welfare commission for women and minors, prescribing its powers and duties, and providing for the fixing of minimum wages and the standard condition of labor for such workers and providing penalties for violation of the same, and making an appropriation therefor.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The welfare of the State of Washington demands that women and minors be protected from conditions of labor which have a pernicious effect on their health and morals. The State of Washington, therefore, exercising herein its police and sovereign power declares that inadequate wages and unsanitary conditions of labor exert such pernicious effect.

Conditions injurious to women against general welfare.

SEC. 2. It shall be unlawful to employ women or minors in any industry or occupation within the State of Washington under conditions of labor detrimental to their health or morals; and it shall be unlawful to employ women workers in any industry within the State of Washington at wages which are not adequate for their maintenance.

Women to be employed only under proper conditions.

SEC. 3. There is hereby created a commission to be known as the "Industrial Welfare Commission" for the State of Washington, to establish such standards of wages and conditions of labor for women and minors employed within the State of Washington, as shall be held hereunder to be reasonable and not detrimental to health and morals,

"Industrial Welfare Commission" created.

and which shall be sufficient for the decent maintenance of women.

SEC. 4. Said commission shall be composed of five persons, four of whom shall be appointed by the governor, as follows: The first appointments shall be made within thirty (30) days after this act takes effect; one for the term ending January 1st, 1914; one for the term ending January 1st, 1915; one for the term ending January 1st, 1916; and one for the term ending January 1st, 1917; *Provided, however,* That at the expiration of their respective terms, their successors shall be appointed by the governor to serve a full term of four years. No person shall be eligible to appointment as a commissioner hereunder who is, or shall have been at any time within five years prior to the date of such appointment a member of any manufacturers or employers association or of any labor union. The governor shall have the power of removal for cause. Any vacancies shall be filled by the governor for the unexpired portion of the term in which the vacancy shall occur. The commissioner of labor of the State of Washington shall be *ex-officio* member of the commission. Three members of the commission shall constitute a quorum at all regular meetings and public hearings.

Governor to
appoint
commission.

Terms of
office.

Commis-
sioner of
Labor on
commission.

SEC. 5. The members of said commission shall draw no salaries. The commission may employ a secretary whose salary shall be paid out of the moneys hereinafter appropriated. All claims for expenses incurred by the commission shall, after approval by the commission, be passed to the state auditor for audit and payment.

No salaries.

Claims.

SEC. 6. It shall be the duty of the commission to ascertain the wages and conditions of labor of women and minors in the various occupations, trades and industries in which said women and minors are employed in the State of Washington. To this end, said commission shall have full power and authority to call for statements and to examine, either through its members or other authorized representatives, all books, pay rolls or other records of all persons, firms and corporations employing females or

Commission
to examine
conditions.

minors as to any matters that would have a bearing upon the question of wages of labor or conditions of labor of said employes.

Employer
to keep
record of
females and
minors.

SEC. 7. Every employer of women and minors shall keep a record of the names of all women and minors employed by him, and shall on request permit the commission or any of its members or authorized representatives to inspect such record.

Minor defined.

SEC. 8. For the purposes of this act a minor is defined to be a person of either sex under the age of eighteen (18) years.

Hearing.

SEC. 9. The commission shall specify times to hold public hearings, at which times employers, employes or other interested persons may appear and give testimony as to the matter under consideration. The commission shall have power to subpoena witnesses and to administer oaths. All witnesses subpoenaed by the commission shall be paid the same mileage and per diem allowed by law for witnesses before the superior court in civil cases.

May sub-
poena
witnesses.

SEC. 10. If, after investigation, the commission shall find that in any occupation, trade or industry, the wages paid to female employes are inadequate to supply them necessary cost of living and to maintain the workers in health, or that the conditions of labor are prejudicial to the health or morals of the workers, the commission is empowered to call a conference composed of an equal number of representatives of employers and employes in the occupation or industry in question, together with one or more disinterested persons representing the public; but the representatives of the public shall not exceed the number of representatives of either of the other parties; and a member of the commission shall be a member of such conference and chairman thereof. The commission shall make rules and regulations governing the selection of representatives and the mode of procedure of said conference, and shall exercise exclusive jurisdiction over all questions arising as to the validity of the procedure and of the recommendations of said conference. On request of the com-

Arbitration
conference
to be called.

Conference
to report to
commission.

mission, it shall be the duty of the conference to recommend to the commission an estimate of the minimum wage adequate in the occupation or industry in question to supply the necessary cost of living, and maintain the workers in health, and to recommend standards of conditions or labor demanded for the health and morals of the employes. The findings and recommendations of the conference shall be made a matter of record for the use of the commission.

SEC. 11. Upon the receipt of such recommendations from a conference, the commission shall review the same and may approve any or all of such recommendations, or it may disapprove any or all of them and re-commit the subject or the recommendations disapproved of, to the same or a new conference. After such approval of the recommendations of a conference the commission shall issue an obligatory order to be effective in sixty (60) days from the date of said order, or if the commission shall find that unusual conditions necessitate a longer period, then it shall fix a later date, specifying the minimum wage for women in the occupation affected, and the standard conditions of labor for said women; and after such order is effective, it shall be unlawful for any employer in said occupation to employ women over eighteen (18) years of age for less than the rate of wages, or under conditions of labor prohibited for women in the said occupation. The commission shall send by mail so far as practicable to each employer in the the occupation in question a copy of the order, and each employer shall be required to post a copy of said order in each room in which women affected by the order are employed. When such commission shall specify a minimum wage hereunder the same shall not be changed for one year from the date when such minimum wage is so fixed.

New
conference.

Commission
to fix wages.

Service of
order fixing
minimum
wage.

SEC. 12. Whenever wages or standard conditions of labor have been made mandatory in any occupation, upon petition of either employers or employes, the commission may at its discretion re-open the question and re-convene the former conference or call a new one, and any recom-

Rehearing
may be had.

mendations made by such conference shall be dealt with in the same manner as the original recommendations of a conference.

Exceptions to minimum scale.

SEC. 13. For any occupation in which a minimum rate has been established, the commission through its secretary may issue to a woman physically defective or crippled by age or otherwise, or to an apprentice in such class of employment or occupation as usually requires to be learned by apprentices, a special license authorizing the employment of such licensee for a wage less than the legal minimum wage; and the commission shall fix the minimum wage for said person, such special license to be issued only in such cases as the commission may decide the same is applied for in good faith and that such license for apprentices shall be in force for such length of time as the said commission shall decide and determine is proper.

Investigate employment of minors.

SEC. 14. The commission may at any time inquire into wages, and conditions of labor of minors, employed in any occupation in the state and may determine wages and conditions of labor suitable for such minors. When the commission has made such determination in the cases of minors it may proceed to issue an obligatory order in the manner provided for in section 11 of this act, and after such order is effective it shall be unlawful for any employer in said occupation to employ a minor for less wages than is specified for minors in said occupation, or under conditions of labor prohibited by the commission for said minors in its order.

Minimum wage as to minors.

SEC. 15. Upon the request of the commission the commissioner of labor of the State of Washington shall furnish to the commission such statistics as the commission may require.

Statistics furnished commission.

Witnesses protected.

SEC. 16. Any employer who discharges, or in any other manner discriminates against any employe because such employe has testified or is about to testify, or because such employer believes that said employe may testify in any investigation or proceedings relative to the enforcement of this act, shall be deemed guilty of a misdemeanor and

upon conviction thereof, shall be punished by a fine of from twenty-five dollars (\$25.00) to one hundred dollars (\$100) for each such misdemeanor.

SEC. 17. Any person employing a woman or minor for whom a minimum wage or standard conditions of labor have been specified, at less than said minimum wage, or under conditions of labor prohibited by the order of the commission; or violating any other of the provisions of this act, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00).

Violation of orders of commission, penalty.

SEC. 17 $\frac{1}{2}$. Any worker or the parent or guardian of any minor to whom this act applies may complain to the commission that the wages paid to the workers are less than the minimum rate and the commission shall investigate the same and proceed under this act in behalf of the worker.

Who may complain.

SEC. 18. If any employe shall receive less than the legal minimum wage, except as hereinbefore provided in section 13, said employe shall be entitled to recover in a civil action the full amount of the legal minimum wage as herein provided for, together with costs and attorney's fees to be fixed by the court, notwithstanding any agreement to work for such lesser wage. In such action, however, the employer shall be credited with any wages which have been paid upon account.

Civil actions by employee.

SEC. 19. All questions of fact arising under this act shall be determined by the commission and there shall be no appeal from its decision upon said question of fact. Either employer or employe shall have the right of appeal to the superior court on questions of law.

No appeal from commission on facts.

SEC. 20. The commission shall biennially make a report to the governor and state legislature of its investigations and proceedings.

Biennial report.

SEC. 21. There is hereby appropriated annually out of any moneys of the state treasury not otherwise appropri-

Appropriation
\$5,000.00.

ated, the sum of five thousand dollars (\$5,000.00) or as much thereof as may be necessary to meet the expenses of the commission.

Passed the Senate February 21, 1913.

Passed the House March 12, 1913.

Approved by the Governor March 24, 1913.

CHAPTER 175

[S. B. 361.]

SALES IN BULK.

AN ACT relating to the purchase, sale, transfer and incumbrance of stocks of goods, wares, merchandise and fixtures and equipment in bulk, providing penalties for the violation thereof, and amending sections 5296, 5297, 5298 and 5299 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. *That section 5296 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:*

Section 5296. It shall be the duty of every person who shall bargain for or purchase any stock of goods, wares or merchandise, in bulk, or all or substantially all of the fixtures and equipment used in and about the business then carried on by the vendor, for cash or credit, before paying the vendor, or his agent or representative, or delivering to the vendor, or his agent, any of the purchase price thereof, or any promissory note or other evidence of indebtedness therefor, to demand of and receive from such vendor, or agent, or if the vendor or agent be a corporation, then from the president, vice-president, secretary, treasurer or managing agent of such corporation, a written statement, sworn to substantially as hereinafter provided, of the names and addresses of all of the creditors of said vendor, to whom said vendor may be indebted, together with the amount of the indebtedness due and owing, and to become due and owing, by said vendor to each of said creditors;

Vetoed.