

### THE PRESENT STATUS OF MINIMUM WAGE LEGISLATION, WITH SOME FACTS ABOUT THE NEED IN MARYLAND

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When John R. Commons began a discussion of minimum wage in an economic classroom at the University of Wisconsin this summer he said something like this: We no longer have to theorize about minimum wage legislation; a little experience is worth many volumes of theory; when I tell you it is working in New Zealand and in Australia, in England and now in Oregon, Washington, Massachusetts and several other States, nine in all, that is enough. So it is that the emphasis in this article will be, not as it was in discussing the problem a year ago on reasons for supporting minimum wage legislation: firstly, physical; secondly, economic; thirdly, moral; but on what has been and is being done in places where the cause is no more and no less aggravating than in Maryland. Thus may we find courage to face the local situation. In the experience of others may we find release from what Mrs. Kelley has called the "surfeit of speculation as to probable effects of establishing a minimum wage rate" from which we seem to be suffering in this country.

Though for several years the wages of public employes in various cities and States have been fixed by law, and though a bill pertinent to the subject was introduced in the Nebraska Assembly as early as 1909, the year of the first English legislation, it was not until two years ago that any general sentiment developed in America in favor of extending the police power of the State to the regulation of wages in private industry. We have been accustoming ourselves to a legal minimum age limit below which children are not allowed to work, a legal minimum of school training to which the youth of America must submit, a legal minimum of decency in work conditions, another of leisure, on which the working day must not infringe. Slowly, but very definitely, public sentiment is coming to demand the extension of the list of legal minima to women's wages. Since the first break nine States (Washington, Oregon, California, Utah, Colorado, Nebraska, Minnesota, Wisconsin, Massachusetts) have passed legislation directly affecting wage changes, and five others, among them Ohio and New York, have inaugurated commissions to study the wages of women in the State in order to satisfy their conservative publics of the need of direct changes.

#### Foreign Experience Will Answer Many of Our Problems.

However, it is to foreign experience that we look for answers to the queries that rise in regard to effects of the legislation under consideration. New Zealand started with industrial boards 20 years ago for the purpose of regulating trades disputes, wages included; but Victoria, in Australia, two years later arranged for wages boards aimed directly at the underpayment in sweated trades. Since then 186 such boards have been created there. No permanent body is provided, as in American laws, but a board for any trade may be called into being by a resolution of Parliament. Employers and employes send in the names of desirable representatives, and from three to five of each group are chosen by the Minister of Labor. The trade board so constituted chooses its own chairman and secretary, and has then full power to establish minimum rates and issue a "determination" binding after 30 days.

In England, the trade to be affected is selected by Parliament, but the "trades boards" are appointed by the Board of Trade. They consist not only of representative members, but of those, including women, appointed from the public at large. They are empowered to fix minimum time or piece rates. Before 1914 four such boards had been appointed. The current year has added four more to the list. Little evidence here that legislative regulation of wages produces bad effects.

As was to be expected, in adjusting such matters to American conditions a variety of methods were tried. No States have attempted regulating men's wages because of constitutional difficulties. Utah, instead of establishing the commission form of administration, simply wrote into the statute specified minimum time rates; for learners, 75 cents a day; for minor experienced worker, 60 cents, and for adult experienced women \$1.25. Two States empower the permanent body, the Minimum Wage Commission, to itself issue the determination establishing a fixed minimum without calling together a temporary wage board. Washington, Oregon and California have invested wage regulating power in what is known as Industrial Welfare Commissions, which have authority over hours and conditions as well as wages. They act, however, in general as the Industrial Commission in Wisconsin and the Minimum Wage Commissions in Minnesota and Massachusetts, much as executive and judicial bodies, in that they bring together the wage board in the trade they have by investigation proven in need, and after this has fixed the wage rates by the interaction of the ideas of representative employers, employes and

the public at large, they review the procedure and decisions of the boards before issuing the final and obligatory determination.

Both in Minnesota and Wisconsin detailed studies of the cost of living have just been completed, the results of which are not yet published. This has been done largely by investigations of living conditions in lodging and boarding houses, by estimates of the cost of clothing, laundry service, doctors' bills, amusements, etc., and by the collection of schedules from individual girls, in Wisconsin from as many as 12,000. The report of the Utah commissioner after about nine months of experience in enforcing the law in that State was a frank approval, even in the face of some confessed perplexing difficulties. We shall therefore study in detail the determinations of but two of the States—the first, Oregon, because the five orders of the commission probably affect more women than in any other State, and these have further stood the test of review before the State Supreme Court; second, Massachusetts, because the first decree issued there is typical of a scientific, careful, complete comprehension of the importance of their action to all concerned.

#### First American Minimum-Wage Order Issued From Oregon.

The Oregon Industrial Welfare Commission was organized on June 3, 1913, and issued on August 5, two months later, the first American minimum-wage order, to take effect after two months. It applied to girls under 18 years—limited their working hours to 50 per week, prohibited night work, and specified a dollar a day minimum for all girls between 16 and 18 not apprentices or learners. In September two more orders were issued affecting women at work in Portland; one limited the working hours of women in manufacturing establishments to nine per day, fifty-four per week, fixed a forty-five-minute lunch period, and a minimum weekly rate of \$8.64; the second, applying to women in mercantile establishments, prohibited work in such after six o'clock, or for more than eight hours and twenty minutes a day, or fifty hours a week, and decreed \$9.25 as the minimum weekly pay for such service. Order No. 4 applied to women adult workers in the offices of Portland. It limited their working week to fifty-one hours and made \$40 a month the minimum wage rate for them. Order No. 5 referred to women outside of Portland, specifying \$8.25 as the minimum in any industry for all women adult workers and \$6 as the minimum for learners; that the learning time must not be more than a year, that fifty-four hours is the maximum number which any woman in any industry in Oregon may be employed, and that women in mercantile, manufacturing and laundry establishments must not work after half-past eight in the evening. The law was taken into the courts and a favorable decision was rendered by the Supreme Court of the State in March. It is now in the hands of the Supreme Court of the United States, and since this body has twice before sustained the stand taken by the Oregon court, once in the case of the ten-hour law for women and again in that of the initiative and referendum, it is reasonable to hope at least that it will not reverse a third.

In Massachusetts, as is very well known, the machinery of wage legislation was established without the power to enforce the decrees but that of publicity. However, the commission, hoping to prove itself worthy, set about its task modestly and carefully. They chose for investigation two of the smallest of Massachusetts industries—brush-making and corsets. Some months ago they issued a statistical bulletin giving the effects of this investigation. Within two weeks another has appeared giving a resume of the findings concerning the brush workers and a final decree. It contains also most interesting appendices giving extracts from the report of the wage board made up of representatives, six of the workers in the brush industry, six manufacturers and three of the public. In brief, the investigation brought out these facts: The industry is small, about 8300 persons in the United States are employed in it; wages are low everywhere in the industry, and that makes a large supply of efficient help impossible to secure; wages are so low in Massachusetts that two-thirds of the women employed earn less than \$6 (p. 7); that in the wages paid there is a marked difference between establishments, and that some small firms existed and prospered paying better wages than other larger and more formidable competitors, and, finally, that a wage board must be established. The determinations of the wage board after several months of activity were as follows: 1. The rate per hour should be 15½ cents, to be raised to 18 cents at the end of a year. 2. Learners and apprentices are to get 65 per cent. of the minimum for not longer than a year. The commission, while recognizing that 18 cents an hour yielded a weekly income "not more than adequate to supply the necessary cost of living and maintain the worker in health, and believing that 15 cents an hour for an average week of 50 hours, giving \$7.75, was a sum substantially higher than the rates now in force for many divisions of the industry," refused to commit themselves to the advance rate for a year hence, maintaining that that matter could be settled when

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