

MAINE STATE LEGISLATURE

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SEVENTY-FIFTH LEGISLATURE

HOUSE

NO. 623

House of Representatives, Mar. 17, 1911.

*Reported by Mr. Descoteaux from Committee on Labor and
ordered printed under joint rules.*

C. C. HARVEY, Clerk.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND ELEVEN.

AN ACT to constitute nine hours a day's work for public em-
ployees.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The services of all laborers, workmen and
2 mechanics, now or hereafter employed by the state or by
3 any county, city or town therein, or by any contractor or
4 sub-contractor for or upon any public works of the state,
5 or of any county, city or town therein is hereby restricted
6 to nine hours in any one calendar day, and it shall be un-
7 lawful for any officer of the state, or of any county, city or
8 town therein, or for any such contractor or sub-contractor
8 or other person whose duty it shall be to employ, direct or
9 control the service of such laborers, workmen or mechanics

10 to require or permit any such laborer, workman or mechanic
11 to work more than nine hours in any one calendar day, ex-
12 cept in cases of extraordinary emergency. Danger to prop-
13 erty, life, public safety or public health only shall be con-
14 sidered cases of extraordinary emergency within the mean-
15 ing of this section. In cases where a Saturday half-holiday
16 is given the hours of labor upon the other working days
17 of the week may be increased sufficiently to make a total
18 of fifty-four hours for the week's work. Threat of loss of
19 employment or to obstruct or prevent the obtaining of em-
20 ployment or to refrain from employing in the future, shall
21 each be considered to be "requiring" within the meaning of
22 this section. Engineers shall be regarded as mechanics
23 within the meaning of this act.

Sect. 2. It is further provided however, that if a petition
2 for such vote, signed by one hundred or more registered
3 voters of a city, or twenty-five legal voters of a town, is
4 filed with the city or town clerk, respectively, thirty days
5 or more before an annual election such city or town may
6 vote to make eight hours a day's work under the same con-
7 ditions as provided for a nine-hour work day under this
8 act. The provisions of this section shall not apply to any
9 city or town that has established an eight-hour work day
10 previous to the passage of this act.

Sect. 3. Every contract, excluding contracts for the pur-
2 chase of material or supplies, to which the state, or any
3 county, city or town therein is a party which may involve

4 the employment of laborers, workmen or mechanics shall
5 contain a stipulation that no laborer, workman or mechanic
6 working within this state, in the employ of the contractor,
7 sub-contractor or other person doing or contracting to do
8 the whole or a part of the work contemplated by the con-
9 tractor shall be requested or required to work more than
10 nine hours in any one calendar day, and every such contract
11 which does not contain this stipulation shall be null and
12 void.

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

Sect. 5. This act shall not apply to the preparation, print-
2 ing, shipment and delivery of ballots to be used at a caucus,
3 primary, state, city or town election, nor during the ses-
4 sions of the general court to persons employed in legisla-
5 tive printing or binding; nor shall it apply at any time to
6 persons employed in any state, county or municipal institu-
7 tion; on a farm, or in the care of the grounds, in the stable,
8 in the domestic or kitchen and dining-room service or in
9 store rooms and offices.

Sect. 6. At any trial arising under the provisions of this
2 act, evidence that laborers, workmen or mechanics have

3 worked or are working over nine hours in any one calendar
4 day shall be prima facie evidence of the violation of the
5 provisions of this act.

Sect. 7. All laws, acts and parts of acts inconsistent here-
2 with are hereby repealed.