

MAINE STATE LEGISLATURE

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EIGHTY - EIGHTH LEGISLATURE

Legislative Document

No. 675

H. P. 1522

House of Representatives, February 16, 1937.

Referred to Committee on Labor. Sent up for concurrence and 500 copies ordered printed.

HARVEY R. PEASE, Clerk.

Presented by Mr. Chase of Baring.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
THIRTY-SEVEN

AN ACT Providing One Day of Rest in Seven.

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

Sec. 1. Definition of terms. The words and phrases mentioned in this section, as used in this act, and in proceedings pursuant hereto shall, unless the same be inconsistent with the context, be construed as follows:

“Employer” shall mean a person, partnership, joint stock company or corporation, which employs any person to work, labor or exercise skill in connection with the operation of any business, industry, vocation or occupation.

“Factory” shall include a mill, workshop or other manufacturing establishment, and all buildings, sheds, structures or other places used for, or in connection therewith, where 1 or more persons are employed at manufacturing, including making, altering, repairing, finishing, refining, bottling, canning, cleaning or laundering any article or thing.

“Mercantile establishment” means a place where 1 or more persons are employed in which goods, wares or merchandise are offered for sale, and includes a building, shed, structure, or any part thereof, occupied in connection with such establishment.

“Commissioner” means the commissioner of labor and industry.

Sec. 2. Minimum hours of rest. Every employer operating any factory, mercantile establishment, transportation or public service company, restaurant, theatre, moving picture shows or freight or passenger elevator in this state, shall allow every person except those specified in section 3 of this act, employed in, about or in connection with, such business or service, at least 24 consecutive hours of rest in every calendar week in addition to the regular period of rest allowed at the close of each working day.

Sec. 3. Exemptions. This act shall not apply to:

1. Janitors;
2. Watchmen;
3. Superintendents or foremen in charge of groups of employees;
4. Employees whose duties on Sunday shall not consume more than 3 hours, such as employees engaged in:
 - (a) Setting sponges in bakeries;
 - (b) Caring for live animals;
 - (c) Maintaining fires or electrical current;
 - (d) Necessary repairs to boilers, machinery, equipment or power.
5. Employees in dairies, creameries, milk condenseries, milk powder factories, milk sugar factories, milk shipping stations, butter and cheese factories, oleomargarine factories, milk chocolate factories, plants manufacturing ice cream or ice cream mix and milk bottling plants, where not more than 7 persons are engaged.

Sec. 4. Designation of day of rest. Before operating on the 1st day of the week, which is commonly known as Sunday, every employer shall post in a conspicuous place on the premises, a schedule containing a list of his employees who are required or allowed to work on Sunday, and designating the day of rest for each, and shall file a copy of such schedule, and every subsequent change thereof, with the commissioner. No employee shall be required or allowed to work on the day of rest so designated for him.

Sec. 5. Records. Every employer shall keep a time book showing the names and addresses of all employees and the hours worked by each of them on each day, and such time book shall be open to inspection by the commissioner.

Sec. 6. Duties of the commissioner. The commissioner shall be charged with the duty of enforcing the provisions of this act and prosecuting all violations thereof.

Sec. 7. Penalty for violation. Any employer who violates any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined for each offense in a sum of not less than \$25 nor more than \$100.