

MAINE STATE LEGISLATURE

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PUBLIC DOCUMENTS

OF THE

STATE OF MAINE

BEING THE

REPORTS

OF THE VARIOUS

**PUBLIC OFFICERS
DEPARTMENTS AND
INSTITUTIONS**

FOR THE TWO YEARS

JULY 1, 1926 - JUNE 30, 1928

STATE OF MAINE

Ninth Biennial Report
OF THE
Department of
LABOR and INDUSTRY



For Fiscal Years
1927-1928

With the Reports of the State Board of Arbitration
and Conciliation for fiscal years
1927-1928

STATE OF MAINE

OFFICE OF
DEPARTMENT OF LABOR AND INDUSTRY

Augusta, July 1, 1928

To His Excellency, the Governor of Maine:

Sir:—Pursuant to the provisions of the law governing this department, I have the honor to submit, herewith, my report of the operations of the Department of Labor and Industry for the fiscal years 1927-1928.

Yours very respectfully,

CHARLES O. BEALS,
Commissioner.

INTRODUCTORY

In the following report of the Department of Labor and Industry covering the fiscal years 1927 and 1928 it is our intention to acquaint the citizens of the State with the work of this Department during the period covered, and to make such recommendations as are deemed proper for the improvement of relations between employer and employee and for the improving of working conditions in the State. The report will be brief for the reason that we have, as in the past, followed the custom of using the appropriations given the Department in carrying out our inspection program rather than in the publication of a more voluminous report that might not be of interest or read by those to whose attention it may come.

Employment conditions during the last two years have not been what might be termed normal. There have been many slack periods in the cotton industry causing shut-downs and much part time work. The woolen industry has been spotty, inasmuch as some of the plants in the State in this industry have been obliged to practically close down for short periods, while others have been enabled to, at least part of the time, run night and day. There has been as a whole a gradual improvement in the employment conditions in the shoe industry. The pulp and paper mills have run more nearly normal than any of our other large industrial plants. The building trades have been fairly well employed but more than the usual amount of unemployment was noted in this line during the fall and winter of 1927-1928. Owing to the seasonal occupations in the State the matter of unemployment among common laborers is one that becomes troublesome each winter. There has been a gain noted in the canning

industry, especially in those plants whose products include blueberries and peas. There has been a revival in the ship building industry which has run mostly to smaller crafts. In one instance, however, notably the steel ship yard at Bath, contracts have been secured and building is progressing on larger types of vessels. As a whole we feel that Maine has not suffered through unemployment to any greater degree than other sections of the country and from present indications it would seem that we may look forward during the next few years to improved employment conditions.

Industrial relations between employer and employee have been very satisfactory, there having been very few labor controversies, in fact but one of any magnitude has occurred, and that one, owing to the fair mindedness of both employer and employees lasted but one week. The Department, following its usual custom, has offered its services as mediator wherever controversies have existed, and in this work I am very pleased to say that we have met with gratifying success.

The Labor Laws given to this Department for enforcement have been generally observed due to the fact that we have received the cooperation of practically every employer in the State in seeing that the provisions of the laws were lived up to.

For the past four years the Department has been without the services of a Deputy Commissioner but I believe that the time has come when in fairness to those connected with the Department and to those whom the Department is serving that we now be allowed the services of another man.

The work of the Department is changing, inasmuch as with a better observance of labor regulations we are enabled to give more of our time to safety work and safety education, which in our estimation is one of the greatest services that the Department can render to the two groups that we are in daily contact with. The value of this work is demonstrated by the fact that there are an average of 16,000 industrial accidents reported to the Industrial Accident Commission each year and this number only

applying to those working under the provisions of the Maine Workmen's Compensation Act. Of those an average of approximately one each week is fatal. That it is possible for this number to be reduced through safety education, is borne out by the fact that one of our large industrial plants that was entered in a National Safety Contest and pitted against plants of a like nature located in different parts of the United States and Canada was able to win the National Championship by operating its plant without a lost time accident from January 1, 1928, to July 1, 1928. The previous record of the plant had been on about an average with other plants in the same industry.

It is safe to say that the factors that allowed the Maine mill to win the championship were the interest shown by the manager of the plant in the contest, the work done by those in charge under him, and through the cooperation and good will of each individual employee. This work results not only in a financial saving to the employer but in an economic saving to the community. I have requested in my budget estimate for the fiscal years 1930-1931 an appropriation large enough to allow us the services of a man conversant with this work.

The law outlining the powers of this Department so far as its orders and recommendations are concerned, gives us the right to order changes in ways, works, or machinery if same are considered dangerous to the life or limb of employees. This is a broad statute but rather a vague and indefinite one. I am, therefore, making recommendations that codes be adopted in regard to elevators, electrical equipment, fire escapes, and the construction, installation, and operation of steam boilers. These recommendations have been before the legislature at various times in the past and I believe that the time has come when the Department should have the assistance of such legislation in accomplishing its work.

ELECTRICAL INSPECTIONS

The inspection of electric appliances in the mills, factories, and workshops of the State, in many instances discloses the fact that the equipment is so far below the standard set by the National Board of Fire Underwriters, as to constitute a real source of danger to the workmen employed in or about the various machines.

Of course, there is always a fire hazard from improperly installed or defective wiring and appliances. These defects may be classed as primary and secondary. The primary defects are those where the equipment is improperly installed and are found more frequently in the rural or outlying sections where the work has been done by local or amateur electricians without regard to any rules or regulations other than that the machinery functions. The secondary defects are found where original work was properly installed but repairs from time to time have been made by anyone employed in the shop or mill whether experienced or not. This condition is found not only in the rural sections but also in the cities.

I do not mean to infer that all rural work is faulty or that all city work is as it should be, although, on the whole we find more of the primary defects in rural sections.

The trouble found most frequently, or rather the most dangerous condition met, is the absence of ground wires. This as applied to the metal case or frame work of all electrical machinery operating on alternating current is as important as the safety valve to the steam boiler.

Much trouble is also caused by the substitution of copper or other metal in the place of fuses. This practice not only creates a hazard, but will sooner or later cause expense due to overloading and the burning out of the motor or starter. We have in some instances found that the ground wires have been removed from the motor starter because the fuse would blow out, caused by defective insulation in the starter, and rather than take this down for repairs, the easiest way is followed. This, of course, creates a dangerous condition more especially in places where the floor or surroundings are damp or in close proximity to metal frame work or pipes.

Conditions as above described are to my mind much more serious and hazardous than is realized by the general public or by many mechanics.

During the past year and a half we have paid especial attention to all electrical apparatus in connection with our regular factory inspection and have found several cases where a lead covered cable was used for a "lead-in" to a mill, the same carrying 2300 volts of alternating current and the sheath or covering was either not protected by a proper ground wire or by simply a small piece of bare copper wire twisted around the cable, which in a short time would be ineffective due to corrosion. Un-grounded motor starters and motor frames have been found in a great many cases and in all of the instances recommendations have been made to remedy the conditions.

We have received the hearty cooperation of nearly all having defective apparatus so that in practically every case it has either been remedied or work is being done to that end.

We have also found in a few cases, unlined lamp sockets in such a position that a source of danger existed, in that a connection could be made by simply resting one hand on a piece of machinery or other grounded metal and the other on the socket. These sockets are obsolete today and but a few are still in use. These we recommend discarded at the earliest opportunity.

Correcting these conditions necessarily entails expense and this has been borne in mind in all orders or recommendations, and while we do not feel that monetary consideration should come ahead of life or limb, we have endeavored to have all apparatus made safe with as little expense to the owner as possible and at the same time get the proper results.

With the large area to cover, the widely scattered mills and factories together with the small inspection force, and also to the fact that changes and additions are continually taking place, it will take some time to get all of the electrical equipment as it should be. Still, we have found that in many cases where these conditions have

existed and have been remedied that those making additions have borne in mind our former recommendations and have all new work installed in a satisfactory manner.

We do not have a state code for electrical installation but have been guided so far as possible by the National Electrical Safety Code as issued by the United States Bureau of Standards, which in part provides:

That all conduit pipes and the sheathes or metal covering of all wires and cables used for the transmission of alternating current of 110 volts or over and all direct current of 500 or more volts shall be absolutely bonded and grounded.

All compensating switches and motor starters, also all motor frames and the stationary metal parts of electrical apparatus shall be effectively grounded.

That no foreign substance shall be used in the place of proper fuses; that the shells or cases of transformers where the same are liable to be touched by employees or the public shall be grounded.

Also all switch boards and distributing panels where exposed must be guarded.

This covers in a general way the safety end. The regular code covering the inside wiring and installations is a volume in itself and covers practically everything pertaining to the work which at present I cannot attempt to cite or quote but have given what I have found to be the most apparent hazard as the reports from the various plants in the State show, and some which I have found from personal inspection.

It is my opinion that a great saving could be made not only to the manufacturer and builders but to the contractors as well by the enactment of legislation adopting a code or standard governing the installation and operation of electrical equipment so that all would have the same basis upon which to figure work and have safety always included. Such a code would enable the Department to be more specific and consistent in its recommendations and orders pertaining to these matters.

ELEVATORS

The question of the safety of elevators is one that is very seldom considered by the public. The use of this mode of conveyance is becoming more general every day. Inspections are of questionable character, in that they are made by the various insurance companies quarterly, some semi-annually and some annually, depending on the nature of the policy covering the risk. Those not insured may or may not be inspected and in many cases are only repaired or inspected when some part breaks. This is a condition that should receive immediate attention as the many defects found show that some definite code should be adopted to cover not only elevators used in industrial plants but also those used by the public in mercantile establishments.

Many states have rules and regulations covering all forms of elevators, escalators, and lowerators. These have not worked a hardship but have been a benefit to all. No one can afford to neglect hazards of this nature where lives of humans are concerned. Owing to the amount of work to do, it is impossible for our inspectors to inspect all elevators as they should be. We do pay particular attention to the opening gates or doors, etc., but cannot, as before stated, inspect the cables, safety devices, and other important parts as they should be, and, it is not only for the present installations but also for the future that some definite standard be adopted specifying what does and what does not constitute a safe installation. Our present statute gives complete authority to this Department to condemn defective machinery of any kind. It would be, however, much better to have elevator machinery defined so that only the proper kind shall be installed giving each and every contractor the same basis upon which to figure the work to be done, he knowing just what was required to conform to the state requirements and the purchaser getting what he has ordered.

Other conditions are continually arising, creating sources of danger, for instance, buildings formerly used for carriage repair work or manufacture are now used in the automobile and truck business, so that the elevators

formerly used for carriages, are now used for automobiles which are many times heavier and which lowers the factor of safety to a dangerous point.

It is not always to be considered that because an elevator hoists a certain load that it is safe in so doing. The factor of safety as applied to elevator cables is one very few stop to consider and owners are prone to point out that "It always has held!" This also is true of practically all elevators in that they are supposed to be safe for all that the car will hold. It may be true in regard to those used for regular passenger service but not so in the freight class, where times have so changed the nature of the business of the tenants of many of the older buildings and have caused freight elevator loads to be multiplied several times that it causes excessive loads on the hoisting machinery to such a degree that while it will lower or hoist a load it is done with great risk. Moreover, where accidents have occurred where no one is injured, so that the accident would be reported, the machinery is repaired, if possible, and again placed in service, continuing to be a source of danger.

Having referred to cables, machinery, etc., let us now consider the car which in many cases is of wood construction with the safety devices located above the load or at the top of the car so that in the case the safeties were called upon to operate by the slackening or breaking of the cable there is danger of the car supports giving away allowing the bottom of the car and the load to fall into the pit leaving the safety devices hooked upon the rails at the point of contact. This has been known to happen in more than one instance.

The size of rails is another question to be considered as on these depend the load the safeties will hold. Many elevators of the short lift type have no safety devices whatever. This is another point to be considered. What allowable height should an elevator travel without being equipped with proper car safety equipment?

We have only recently had a very serious accident which was unlooked for, or in other words, occurred from a source not realized by the management of the company

as hazardous. In making additions and alterations this company installed a temporary or what is known as a contractor's elevator, the same being hoisted and lowered by a portable steam outfit. After the completion of the work for which it was installed, the elevator not being needed elsewhere was allowed to remain rather than to dismantle and store it, as the room it was in was not needed, and the employer did not suppose that it was being used. It was viewed by an inspector of this department some time before this accident and as it was idle no account or mention was made of the same, it being considered as out of use. It stayed in this condition until one young man decided it would be easier and quicker for him to transport stock with this than to cross the building and use the regular elevator. This he did for some time, unknown to the management, and one day he became excited owing to an unusual condition and in his hurry to get out quickly started to go underneath the elevator car which was descending at the time, the same pinning him to the bottom of the shaft-way and in time causing his death.

Had this elevator been operated under a code or regulations the accident would not have occurred and a life would have been spared, to say nothing regarding the needless expense to the employer. While the elevator was satisfactory for use as originally intended and when operated by an experienced man, yet when it ceased to be needed it should have been made inoperative.

Many similar cases may exist throughout the State without our knowledge for a time at least, but, with proper regulations these machines would be used only by the proper parties and left by them in a condition so that they could not be a source of danger.

The various phases of elevator construction, installation and operation are subjects that could be carried to a great extent. I have, however, tried in a short way to show why something should be done in order that we could have a code by which all interested could have the same information and data upon which to figure new installations and also to be governed in repairing after accidents

and breakage, and by so doing we would in time be able to bring all elevators into a safe and first-class condition considered from all points and this would not cost the owner or manufacturer any appreciable amount beyond that of the present expense. Under present conditions we are not improving along these lines as we should and as we are along the other lines of safety.

From the before mentioned facts and from the conditions that we are continually meeting, it seems only right that something should be done to correct these conditions and I would therefore respectfully recommend that a law be passed creating a Bureau or Board of Elevator Rules and Regulations whose duties it would be to draw up and adopt a code, and to have the power to amend or alter the code as conditions require, subject to the consent and approval of the Governor and Council.

FACTORY INSPECTIONS

There are several lines covered by the inspection service of this Department in the general line of factory inspection, that of machinery which includes many phases of various machines, line shafting and belts for the operation of the same; exits, which include halls, stair-ways, and fire escapes, elevators and all openings for the same, all electrical appliances; the enforcement of all laws pertaining to the hours of labor of women and children, employment of children; weekly payment of wages law, etc.

It has been our policy to cooperate with the owners and heads of establishments where it is necessary to make recommendations for changes or additions, with the thought in mind that if the most serious hazard that presents itself during today's inspection is corrected and eliminated that following inspections will have the same beneficial result and that gradually and with little expense that particular plant will be in first-class condition as regards working and safety conditions.

We have through experience learned that guarding machinery does not wholly prevent industrial accidents. Guards are either recommended or ordered today only as

far as practical; but when this is done there is left much safety work in the way of care and cooperation on the part of the employees which no guards can accomplish. We do, however, gain much information for future recommendations through the analyzation of various accident reports, thus locating conditions never before considered as dangerous.

We have also followed up, for sometime past, fatal accidents in industrial plants making a thorough investigation to determine the cause and if any defects are found orders are given for repairs or changes to prevent a repetition of the same. I am, however, pleased to say that in nearly every instance, the hazards that caused the accidents cannot be charged to negligence on the part of the employer or carelessness or poor judgment on the part of the employee, many could not have been prevented by any method of guards or guarding, and can only be overcome by educational methods and care and cooperation as outlined by various Safety associations and urged by this Department at every available opportunity.

It has been our experience that the greatest benefits arise and are recognized by the rank and file of employees, where this work is endorsed and aided by the various officials of the manufacturing establishments and employers of labor in general, than in cases where it is left to the safety engineer employed by the company or for the safety man of some insurance company to accomplish results requiring the moral support of all concerned. I feel that in a short time Safety education will be recognized as one of the most valuable assets of the employer from a financial standpoint.

It is only in rare cases where we find that dangerous conditions are not remedied at once as soon as the same are brought to the attention of the proper parties. As before stated, we gain much valuable information in this line the same as in the other lines of inspection from past experience and the investigation of causes of accidents and use this as a basis for our future recommendations. The employers of labor in general, are to a very large degree, ready to accept our recommendations and co-

operate toward the general improvement of their plants which in time tends to a reduction in insurance premiums or a direct saving for self-insurers and which means to the employees continued physical safety to perform their daily labor thus insuring them and those dependent upon them freedom from suffering and deprivation.

During the period covered by this report inspectors of the Department have made 3843 inspections. Recommendations have been made in many instances and gratifying results have been noted.

SANITARY CONDITIONS

This important subject is given especial attention as it is obviously necessary that in order to maintain and operate a shop or factory and attain the best results the health of the employees is one of the first matters to be considered and is of great moment in the elimination of accidents by educational methods. With adequate wash rooms, clean, light and well kept toilets, it is in itself an incentive to all employees to be cleanly in their habits, and this not only leads to a cleaner shop or factory but to neater and better work and demonstrates in one of the best ways possible to the employees that the employers have the health and comfort of their employees uppermost in their minds.

The sanitary conditions in all of our manufacturing plants are steadily improving. Some have reached the point where it is hard to improve further while many of the older mills and shops are observing the rules and regulations as formulated by the State Board of Health in making repairs and alterations as occasions require.

The cleanliness of these are noted at each and every inspection and orders left for any matters that may need attention.

STEAM BOILERS

The question of steam boiler inspection is one that has been discussed many years. Practically every State in the Union except Maine has a Code or set of rules governing the same. These rules govern all points pertaining

to the construction, erection, maintenance and operation of all steam boilers, hydraulic pressure, and air tanks and are of the utmost importance to all concerned in that when a boiler is purchased that has been constructed in accordance with specifications the purchaser is assured as to the quality of material and workmanship, also as to the safe working pressure. This is not only an economical condition to be considered but is also to be considered from the safety or humane point of view.

In the past two years we have had one air tank explosion costing the lives of two men. While this in all probability could not have been prevented by external inspection it could have been prevented and a recurrence can be prevented by proper method of construction which would be cared for by having all equipment coming into this State of a standard type of construction. Defective design as referred to above does not show its weakness from inspection or hydrostatic test. As in this case both tests were given previous to the operation of the tank.

In the case of steam boilers the same conditions exist, not only as to the construction but also as to the inspection. Only recently one of the inspectors from this Department found a vertical tubular boiler not equipped with a safety valve. In this instance orders were left covering the same. In other cases, however, there is the chance that like conditions could exist and a very serious accident occur before the defect was found whereas with the proper regulations these conditions could not occur. With the regular operating conditions we have found firemen seventeen or eighteen years of age operating high pressure boilers who in addition to their duties as firemen are obliged to do work in or about the mill so that they were absent from the boiler room quite a considerable period and at the same time it was found that the boiler was not properly equipped with hand wheels on some very important valves and trycocks. These we have had repaired or replaced.

In addition to the conditions as above described there is also the matter of second hand boilers to be considered. This is of vital importance as when a boiler has been

condemned in some other state after having been found unfit for future use its use in Maine should certainly be prohibited by law. In the use of boilers that are in a doubtful condition it is not realized by some that they are taking great chances not only from the point of property damage but also that of life which cannot be counted in terms of dollars and cents.

In practically every case found where boilers are not inspected they are in establishments that can ill afford to take any chances especially from a financial standpoint as concerns their own plant but would be unable to compensate for the damage done to the property of others. In some cases these are operated from ignorance, in others from lack of funds, but in either case should not for one moment be allowed to continue.

I would also call attention to Section 25, R. S., Chap. 22, regarding fusible plugs in steam boilers. This is proper and should be continued as applied to some types of boilers and was needed when adopted which was before the advent and common use of the extra high pressure type of boilers, but cannot be complied with in certain types today and should therefore be amended to meet the present day demand.

In the Sixth and Seventh Biennial Report the question of steam boiler inspection was quite fully covered. You will note that during a period of twenty-nine days in May and June, 1923, one hundred and three boilers were inspected, six were condemned, they being unfit for further use, twenty-seven were ordered repaired, and the working pressure ordered reduced on many others. From the above figures it will be seen that many of the steam boilers in Maine are not what they should be.

A bill was introduced into the 82nd Legislature but did not meet with its approval. This subject was again taken up in the Eighth Biennial Report. A Bill was introduced into the 83rd Legislature, was passed by the Senate but was defeated by the House.

It may be of interest to note that in May and June, 1924, sixty-four boilers were inspected internally, four were condemned as unfit for further use; four were ordered replaced in a given time, also orders to lower the steam

pressure on and repair the same were given on thirty-one others. You will see, therefore, that of those inspected in 1924 over 50% were found to be defective.

The boilers mentioned previously as ordered repaired taken together with many that should receive inspection demonstrate that it is reasonable and logical that some definite action providing for such inspection should be taken and I feel that if this matter is neglected that sooner or later we shall have great cause to regret that we have delayed so long or until after some bad accident shall have taken place causing death and destruction. I, therefore, most respectfully recommend that legislation be enacted creating a Bureau or Board of Boiler Rules to promulgate and adopt a Code of Rules and Regulations for the construction, installation, maintenance, and operation of Steam Boilers and also all air and hydraulic pressure tanks used in the State of Maine; said Board to serve without pay, they to receive actual expenses incurred while on official business; said Code to become the law together with any additions or amendments adopted from time to time when approved by the Governor and Council.

VIOLATIONS

During the fiscal year from July 1, 1926, to June 30, 1927, inspectors representing this Department found twenty-three (23) violations of the Child Labor Law, practically all of which were minor in character or rather an oversight on the part of the employer or to conditions misrepresented to him to such an extent that they were not classified as willful violations. It was, however, deemed necessary in three (3) instances to issue warrants and have the offenders summoned before the Municipal Court. Eleven (11) violations were found of the Fifty-four Hour Law, in three (3) of these it was deemed necessary to take the matter before the local court. For violation of the Fifty-four Hour Law pertaining to minors employed in Bowling Alleys, three (3) cases were found and one case was prosecuted. There were seven (7) violations of the Weekly Payment Law and one of the Trustee Law. These cases were settled without court action.

For the year commencing July 1, 1927, and ending June 30, 1928, violations found were as follows: The Fifty-four Hour Law, fourteen (14) violations, of which four (4) were taken before the local courts. There were three (3) violators of the Weekly Payment Law, thirty-five (35) violators of the Child Labor Law, of which two (2) were summonsed, thirty-three (33) being minor offenses. Violations of the Child Labor Laws in Bowling Alleys one (1). Falsified records found, three (3), of which two (2) were prosecuted.

In all of the above cases where warrants were issued, convictions were secured, and in other instances, cases are filed in this office pending future conduct in the observance of the Labor Laws.

SYNOPSIS OF PROSECUTIONS

July 14, 1926—Portland. Warrant issued against the owner of a factory in Portland, charged with the violation of the Child Labor Law. This was a flagrant violation, over which the owner did not seem to have control. A fine of twenty-five dollars (\$25.00) was imposed with costs of two dollars and twelve cents (\$2.12).

August 12, 1926, a warrant was issued against a manager of a shoe factory in Belfast, charged with the violation of the Fifty-four Hour Law. As there had been previous violations along these same lines, it was deemed best to issue a warrant and in that way remedy the conditions. Respondent was found guilty and fined twenty-five dollars (\$25.00) and costs of six dollars and forty-five cents (\$6.45).

August 17, 1926, a warrant was issued against the superintendent of a shoe factory in Springvale, charging violation of the Child Labor Law and one other charging violation of the Fifty-four Hour Law. The cases were heard and a fine of twenty-five dollars (\$25.00) and costs was imposed in each case, the total amounting to sixty-two dollars and fifty cents (\$62.50).

October 19, 1926, a warrant was issued against the proprietor of a restaurant in Bath charging violation of the

Fifty-four Hour Law. Respondent was found guilty and fined twenty-five dollars (\$25.00) and costs of seven dollars and fifty-seven cents (\$7.57).

March 1, 1927, a warrant was issued against the proprietor of a bowling alley in Lewiston, charging violation of the Fifty-four Hour Law. Respondent found guilty and fined the cost of court that amounted to five dollars and fifty cents (\$5.50). Fine remitted and respondent placed on probation for six months.

November 22, 1927, a warrant was issued against a shoe company in Auburn, charging violations of the Fifty-four Hour Law. The defendant was found guilty in two counts and fined fifty dollars (\$50.00) and costs of two dollars and seventy cents in each case (\$2.70).

February 20, 1928, a warrant was issued against the proprietor of a woolen mill in Sanford, charging violation of the Fifty-four Hour Law. Respondent found guilty and was fined twenty-five dollars (\$25.00) and costs of two dollars and eighty-five cents (\$2.85). Owing to the circumstances and to a promise of future conduct, the Judge remitted the fine simply imposing the costs.

March 22, 1928, a warrant was issued against a manager of a restaurant in Bangor, charging violation of the Fifty-four Hour Law. A time record had been ordered several times but as none was kept it was deemed best to take the matter to court. Waived the reading of the warrant, and pleaded guilty. A fine of twenty-five dollars (\$25.00) and costs was imposed. Fine remitted on promise of compliance with the Labor Laws.

March 29, 1928, Sanford. Two cases charging falsification of birth records. The defendants appeared in court, and were fined each ten dollars (\$10.00) and costs of eight dollars and thirty-five cents (\$8.35).

June 28, 1928, a warrant issued against the superintendent of a shoe company in Biddeford, charging violation of the Fifty-four Hour Law in having employed female operatives sixty hours a week. Two warrants were issued and upon the first a fine of (\$25.00) and costs of (\$5.30) was assessed. The second warrant was nolle prossed at the recommendation of the Commissioner of Labor.

CHILD LABOR

The improvement of Child Labor conditions noted during the past few years continues and the number of minors employed under work permits that excuse them from school attendance is now at the lowest point that has ever been reached, namely fifty-one.

It has been through the cooperation of the employers and school authorities that this decrease has been brought about and it is gratifying to know that Maine, through progressive legislation has provided that each of these minors must have reached its fifteenth birthday and have received at least an eighth grade education.

It is only necessary to compare the present conditions with those of a few years ago when the minimum factory age was twelve years and the educational qualification was that a minor must attend school three months out of a year, that the great change for the better can be realized.

Child Labor legislation does not seek to forbid a minor being employed but does seek to assure each child a common school education before it is called upon to start its life work and to provide that a child must be able to perform the labor it is called upon to do without endangering its physical well being.

The 1927 legislature amended the Child Labor Law by adding the following provision. "A child between the ages of fourteen and sixteen who, because of sub-normal mental capacity, is unable to successfully pass the tests necessary to allow a regular permit to be issued, may under conditions deemed proper receive a permit issued jointly by the Commissioner of Education and the Commissioner of Labor, such minors to be employed in non-hazardous occupations."

This amendment was enacted to take care of the few cases which present themselves each year, which involve minors who are physically fit to perform manual labor but find it impossible to derive any benefit from school attendance.

This provision has been in effect one year and during that period four of the special permits have been issued,

and four have been refused because of the fact that while the minors affected are not able to keep up in their grades yet the school records show that they are making some progress in their studies.

We believe that the law has worked out well and that through it constructive work has been accomplished toward making more useful citizens of those affected.

FREE PUBLIC EMPLOYMENT AGENCY

The Maine Department of Labor and Industry in conjunction with the Federal Department of Labor and the State Chamber of Commerce has conducted a free employment agency in the city of Portland.

This agency or bureau although not functioning to the extent that it should or could if more funds were available, has since its inception secured positions for a great many of our citizens, especially during the seasons when unemployment is more or less evident.

Under the present arrangement the Federal Department furnishes a stenographer and all blanks and envelopes used in carrying on the work. The franking privilege is also extended. The city of Portland furnishes office rooms, light and heat, and the State Department offers such assistance in the work as is possible without the expenditure of money.

The work being done is worthy every effort looking toward its extension.

INVESTIGATION OF CAUSES OF ACCIDENTS

It is the policy of the Department to investigate the causes of serious accidents as soon as possible, especially those attended by fatalities.

A thorough inspection is made of mechanical equipment if any is involved. Conditions surrounding the accident are investigated and in cases where a change in working conditions or mechanical devices will assist in avoiding a repetition of the accident recommendations or orders are given to that effect.

Through this work we are enabled to bring to employers in the same line of industry, information that has been dearly bought by others, through experience.

During the period covered by this report July 1, 1926, to June 30, 1928, there have been 112 fatal accidents among the employees working under the protection of the Maine Workmen's Compensation Act. The largest percentage of these have been caused by falling, thirty-two deaths having resulted from that cause. Twenty-eight were caused by falling objects, fourteen from infection, seven by electrocution, six were drowned, cave-ins, scalds and burns, and gassing resulting in five fatalities each. Explosions caused four deaths, and elevators, belts, and moving machinery, two each.

It will be noted that a very small percentage of fatal accidents are caused by mechanical devices, and great credit is due the employers of the State for the work done in guarding machinery which assists materially in keeping this particular class of accidents to a low percentage.

The following tables show the causes of fatal accidents grouped by industries, and the percentages of same.

It is through these records that we learn where the most work is necessary in accident prevention.

The following data shows the industries in which fatalities occurred, and the causes and percentages.

Total number killed in occupational accidents including all accidents and those dying from infections, etc., from July 1, 1926, to July 1, 1928.

Paper and pulp industry—23— 20.53%	Quarrying, granite, slate, feldspar, lime and cement works.—14—12.5%
Lumber, plywood, and box shooks—13—11.6%	Electric light, telephone and telegraph—5—4.46%
Highway and road work—11— 9.82%	Shoe and leather—1—0.89%
General construction which includes building and repairs—15—13.39%	Cotton industry—2—1.78%
Railroad and street cars—4— 3.57%	Woolen industry—2—1.78%
	Mercantile—4—3.56%
	Miscellaneous—18—16.02%

Total number killed in all occupations from following causes:

Falling—32—29.46%	Elevators—2—1.78%
Drowned—6—5.35%	Belts—2—1.78%
Falling objects—28—25%	Electrocutions—7—6.25%
Cave-ins—5—4.46%	In machinery—2—1.78%
Explosions—4—3.57%	Scalds and burns—5—4.46%
Gassing—5—4.46%	Infections from injuries—14— 12.5%

Total number—112

Note.—The above figures apply only to employees working under the provisions of the Maine Workmen's Compensation Law.

INDUSTRIAL MUSEUM

The Department of Labor and Industry as the name implies was created to serve the two groups of citizens commonly designated as employer and employee.

The work of the Department as our reports show has in the past had more to do with the employees group than with the other, and in order for the Department to function to the full extent possible it has been my thought that the Department should function more as a cooperative force than as an enforcement bureau.

With this idea in mind, I am making a request and recommendation that a room in the State House be given the Department in which to establish an industrial exhibit in which the manufacturers of the State could display articles manufactured by them and wherever possible show through samples of raw material and partly finished product, the process of manufacture.

It is a fact that many articles are produced in the State of which a great percentage of our citizens have no knowledge and I believe that a real service can be rendered the industries of the State by an exhibit such as is contemplated.

This matter has been taken up with various manufacturers and we have been assured of their hearty cooperation.

The expense of creating and supporting such an exhibit would be nominal and the benefits derived would, in the estimation of those with whom we have talked, be very far-reaching.

Many thousands of Maine citizens visit the State House annually and by acquainting them with the variety and quality of Maine made goods it would naturally follow that a larger demand would be created which would mean orders for our industrial plants and more employment for the workers.

During the tourist season, each day sees its groups of out-of-State visitors at the State Capitol building and through viewing such an exhibit there is sure to follow a feeling of acquaintance with the articles exhibited when the tourists have returned home and see the goods on display in the stores of their home cities or towns.

The industries of the State form one of the most important branches of our business structure and I believe the State owes those in control such help as it can give.

STATISTICAL DATA

The law governing this Department provides that we shall collect, assort and arrange statistical details relating to all departments of industrial pursuits in the State; to trade unions and other labor organizations and their effect upon labor and capital, and other matters of interest including the names of firms, companies or corporations, where located, the kind of goods manufactured, the time operated each year, and the number of employees, classified according to age and sex.

We have followed these instructions so far as our appropriation would allow, but owing to the expense of printing, the data will not be published in this report.

The information is on file in this Department and available to any citizen of the State interested in same.

STATE OF MAINE**Board of Arbitration and Conciliation**

To the Governor and Council of the State of Maine:

The report of the State Board of Arbitration and Conciliation, for the two years ending July 1, 1928, is herewith submitted, in compliance with the requirements of Section 1 of Chapter 49 of the Revised Statutes of Maine, as amended by Section 2 of Chapter 69 of the Public Laws of 1921.

Respectfully,

FRANK H. INGRAHAM

WILLIAM T. HINCKLEY

EDWARD F. GOWELL

State Board of Arbitration and Conciliation.

REPORT

During the period from July 1, 1926, to July 1, 1928, the services of the State Board of Arbitration and Conciliation were not requested and there were but few labor controversies in the State during that time. The members of the Board have remained the same during the two years, with Frank H. Ingraham, of Rockland, Chairman and William T. Hinckley, of Bangor, Secretary. Edward F. Gowell, of Berwick, is the employer member and Mr. Hinckley the employee representative.

The services of the Board were tendered in April, 1928, to those engaged in the Granite industry, both employers and Unions when there was a controversy in connection with wages to be paid under a proposed new agreement. Matters were finally adjusted satisfactorily, without the assistance of the Board.

The State Board has held itself in readiness to serve in connection with any controversy that might arise, but the one mentioned has been practically the only controversy that has taken place during the period named.

It would seem that employers of labor should find Maine a good state in which to locate by reason of practically no strikes, or labor controversies.