

UNITED STATES DEPARTMENT OF LABOR
BULLETIN OF THE WOMEN'S BUREAU, NO. 79

**INDUSTRIAL
HOME WORK**

Pamphlet

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[PUBLIC—No. 259—66TH CONGRESS]

[H. R. 13229]

An Act To establish in the Department of Labor a bureau to be known as the
Women's Bureau

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,* That there shall be
established in the Department of Labor a bureau to be known as the
Women's Bureau.

SEC. 2. That the said bureau shall be in charge of a director, a
woman, to be appointed by the President, by and with the advice and
consent of the Senate, who shall receive an annual compensation of
\$5,000. It shall be the duty of said bureau to formulate standards
and policies which shall promote the welfare of wage-earning women,
improve their working conditions, increase their efficiency, and ad-
vance their opportunities for profitable employment. The said bureau
shall have authority to investigate and report to the said department
upon all matters pertaining to the welfare of women in industry.
The director of said bureau may from time to time publish the re-
sults of these investigations in such a manner and to such extent as
the Secretary of Labor may prescribe.

SEC. 3. That there shall be in said bureau an assistant director, to
be appointed by the Secretary of Labor, who shall receive an annual
compensation of \$3,500 and shall perform such duties as shall be pre-
scribed by the director and approved by the Secretary of Labor.

SEC. 4. That there is hereby authorized to be employed by said
bureau a chief clerk and such special agents, assistants, clerks, and
other employees at such rates of compensation and in such numbers
as Congress may from time to time provide by appropriations.

SEC. 5. That the Secretary of Labor is hereby directed to furnish
sufficient quarters, office furniture, and equipment, for the work of
this bureau.

SEC. 6. That this act shall take effect and be in force from and
after its passage.

Approved, June 5, 1920.

331.794 (73)

UNITED STATES DEPARTMENT OF LABOR
JAMES J. DAVIS, SECRETARY
WOMEN'S BUREAU
MARY ANDERSON, Director

BULLETIN OF THE WOMEN'S BUREAU, NO. 79

INDUSTRIAL HOME WORK

BY
EMILY C. BROWN



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INDUSTRIAL HOME WORK

INTRODUCTION

LETTER OF TRANSMITTAL

UNITED STATES DEPARTMENT OF LABOR,
WOMEN'S BUREAU,
Washington, March 12, 1930.

Sir: I have the honor to transmit a short report on industrial home work in the United States, prepared by Emily C. Brown while associate industrial economist in the Women's Bureau.

The report discusses briefly the extent, character, and causes of home work, the inadequacy of its earnings, the difficulties of its regulation. The most important parts of the report and recommendations of the committee on industrial home work of the Association of Governmental Labor Officials of the United States and Canada are given verbatim, and a select list of references for reading completes the bulletin.

Respectfully submitted.

MARY ANDERSON, *Director.*

Hon. JAMES J. DAVIS,
Secretary of Labor.

INDUSTRIAL HOME WORK

INTRODUCTORY

The problem.

Industrial home work is an old problem that still persists. According to many studies, the custom of sending articles from factories into homes, to be made or finished, has been accompanied in the past by the evils of long hours of labor, low rates of pay, irregular employment, child labor, and working conditions that constitute a menace, actual or potential, to the health of the workers and of the public.

Information as to the extent and character of home work is fragmentary. Only a few States have any current knowledge of the situation within their jurisdictions. Yet such information as exists is sufficient to indicate that home work is extensive in many of the industrial States, and that unless under constant supervision and regulation by the authorities it generally is accompanied by the old evils.

Home work is a type of labor that presents extreme difficulties to efforts at regulation, at the same time that it particularly calls for regulation because it is so subject to abuse by the undercutting of the standards set up by the State for factory work.

A program.

Every State should ascertain whether or not industrial home work is done within its borders.

For any State in which industrial home work is practiced but in which there is as yet no adequate regulation the first step is to learn the facts. To what extent is home work carried on in the State? In what industries, under what conditions, among what groups? Are the labor standards set up for the protection of other workers observed for this group? Is illegal child labor to be found? Are menaces to the health of public or workers involved? Investigation to throw light on these questions may be made by the State department of labor or other interested group.

The second step is to set up a workable system of regulation and control. The experiences of the States that have attacked the problem may be drawn upon. Until further experience and research may devise more effective methods the best guide, which is based upon present experience, is to be found in the minimum standards of regulation unanimously agreed upon and recommended by the committee on industrial home work of the Association of Governmental Labor Officials of the United States and Canada. (See p. 13.)

EXTENT AND CHARACTER OF HOME WORK

Numbers employed.

The importance of the home-work problem is indicated by the situation in New York and Pennsylvania, two industrial States that are attempting thorough regulation and control of home work and that publish detailed reports of their work. In New York State in the year ended June 30, 1927, over 21,500 persons were found engaged in home work in licensed houses.¹ During the same period, in the New York City district alone home work was given out to 11,516 workers by 1,467 employers.² On November 1, 1927, Pennsylvania had 1,161 employers licensed to give out home work and they reported more than 12,600 home workers for the month of September.³

In New Jersey in the year ended June 30, 1928, licenses to do home work were issued for 3,027 families.⁴

In Massachusetts, where home-work licenses are required only in the case of wearing apparel, licenses were issued to 347 families in the year ended November 30, 1927. Naturally, a considerable part of the home work in this State does not come under the license requirement, and therefore no reports from employers or home-work inspections are had in these lines. Information on the extent and the conditions of home work in Massachusetts, accordingly, is incomplete.⁵

A few other States recognize the problem and make serious efforts to control it. In many others it is known that the home-work problem exists, but information is fragmentary and in a large majority of cases no legal regulation is in force.

Industries engaged.

The needle trades are the great sources of home work. Of the 21,573 home workers found in licensed houses in New York State in the year ended June 30, 1927, the clothing trades employed over 13,000 and embroidery and artificial flowers gave employment to 4,000 more.⁶ In New York City during the same period 33.5 per cent of the registered home workers were employed on men's clothing, 22.4 per cent on embroidery, and 15.9 per cent on trimmings and flowers.⁷ In Pennsylvania in 1927 (according to home-work reports of September) 27 per cent of the employers and 23 per cent of the home workers were in the men's clothing industry, while other clothing, knit goods, and tobacco were the industries next in importance.⁸ Many kinds of work are being done in homes in various localities. Stringing tags, carding buttons, hooks and eyes, or safety pins, mak-

¹ New York. Department of Labor. Annual Report of the Industrial Commissioner for the 12 Months Ended June 30, 1927. Report of division of home-work inspection, 1927, p. 254.

² Ibid. Industrial Bulletin, June, 1928, p. 277.

³ Pennsylvania. Department of Labor and Industry. Labor and Industry, March, 1928, pp. 12 and 13.

⁴ New Jersey. Department of Labor. Industrial Bulletin, September, 1928, p. 41.

⁵ Massachusetts. Department of Labor and Industries. Annual Report for the Year Ending Nov. 30, 1927, p. 25; and typewritten report on industrial home work and its regulation in Massachusetts, 1927.

⁶ New York. Department of Labor. Annual Report of the Industrial Commissioner for the 12 Months Ended June 30, 1927. Report of division of home-work inspection, 1927, p. 253.

⁷ Ibid. Some Social and Economic Aspects of Home Work. Special bul. 158, February, 1929, p. 8.

⁸ Pennsylvania. Department of Labor and Industry. Labor and Industry, March, 1928, p. 13.

ing garters, and work on cheap jewelry, lampshades, powder puffs, paper boxes and bags, carpet rags, and toys, are a few of the simple occupations characteristically found as home industries.

The home-work employers are to a considerable extent an unstable group of small manufacturers or contractors. In Pennsylvania 75.7 per cent of the 1,161 licensed home-work employers in September, 1927, had fewer than 25 employees each, and 38.5 per cent had fewer than 5 each. Only 20 employers had 100 home workers or more.⁹ In New York City in 1928 the average number of home workers employed by each firm was 8, and they ranged from an average of 5 to a firm in the women's clothing industry to 19 in powder-puff manufacturing.¹⁰ The home-work employers are a numerous and shifting group, principally small operators who work with little capital and depend upon an elastic reserve of cheap labor for their production.

Causes.

Home work in place of factory production is resorted to chiefly by manufacturers whose work is irregular, highly seasonal, or subject to fluctuation with changes in fashion or process, and in which, therefore, producers seek a labor force that can be quickly expanded or contracted. In such types of work many manufacturers consider it advantageous that their work in rush seasons should be done by home workers rather than add to the burden of overhead by providing for the peak of production in the factory.

The clothing industries, which are highly seasonal and produce on short notice, are responsible for fluctuations in employment even greater for the home workers than for factory workers, though the latter are notoriously an irregularly employed group.¹¹ Other industries, not so much seasonal as subject to changes of fashion, find that sudden turns in demand result in spectacular increases or decreases in home-work employment; for example, buttons, bead necklaces, powder puffs, embroidery, or lampshades. Or a new process may affect, in one direction or another, the employment on home work. In all these cases the manufacturer is able to call into service a large reserve of labor without providing factory space or taking responsibility for the workers as regular employees. That low rates of pay are accepted, in many cases lower than rates for similar operations in the factories, is a further inducement to manufacturers to use this type of labor.

The Pennsylvania Department of Labor questioned approximately 600 employers as to their reasons for giving out home work. The desire to avoid overhead expense proved to be important among the motives of the manufacturers.¹²

Lack of space in the factory, high rents, and a desire to keep down general overhead expenses was stated by about 15 per cent of the employers as their primary reason for giving out home work. It seemed rather evident that this desire to keep down overhead expenses was a contributing factor in the majority of cases where work was sent into the homes although perhaps not always

⁹ Pennsylvania. Department of Labor and Industry. Labor and Industry, March, 1928, p. 12.

¹⁰ New York. Department of Labor. Industrial Bulletin, May, 1929, p. 628.

¹¹ New York. Department of Labor. Home Work in the Men's Clothing Industry in New York and Rochester. Special bul. 147, August, 1926, p. 35.

¹² Pennsylvania. Department of Labor and Industry. Labor and Industry, April, 1927, pp. 8 and 9.

clearly formulated as such in the minds of the employer. Occasionally, the rapid growth of business in an establishment temporarily forced work out into the homes. Finding that it could be carried on satisfactorily in this way the employer had no particular urge to add to his investment by providing more factory space.

The New York State Department of Labor in its study of home work in the men's clothing industry also emphasizes these points. In New York City about two-thirds of the men's clothing is produced by manufacturers who cut the goods and market the finished product but farm out to contractors the actual making of the garment. Furthermore, manufacturers who themselves make garments usually give out some work to contractors. In fact, the system of giving out garments to home workers for certain operations is used extensively by both manufacturers and contractors. This complex system of production is characterized as follows:¹³

Divorcing the making of the garment from the marketing has relieved the manufacturer of the necessity of carrying a large overhead and of providing stable employment for a large working force and has put the burden of expansion and contraction upon the contractor. Carrying on production by means of small shops tends to keep the industry in a fluid state. * * * The system of small shops together with a large reserve of labor allows for quick expansion of business. * * * Firms manufacture to order rather than for stock and the market is organized to make quick deliveries on large orders. This results in sharp expansion and contraction of business producing a markedly seasonal industry. Business is carried on under highly competitive conditions.

The industries that use the home-work system vary in their details, but they are alike in using, to quickly expand the labor force when a rush of work comes, the labor available in the home. Thus the industries need not provide factory space and pay rent and other overhead for this part of their production. Under the pressure of competition, the employers avoid these costs as far as they can. The burden of expansion and contraction, instead of being carried as one cost of the industry, is passed on to the home workers in the form of irregularity of employment and earnings. Inevitably questions arise as to the soundness and the social ethics of such a system of production. From the standpoint of the industry itself, it is questionable whether the instability and unregulated competition of this system is advantageous; whether such an organization of production is efficient. From the standpoint of the public there is a clear case for regulation, if not the more drastic measure of prohibition, to set limits to the conditions that this highly competitive type of production imposes upon a group of workers who are, by the nature of the case, in poor position to protect themselves.

THE WORKERS

Home workers are largely women, aided all too frequently by children. They are chiefly unskilled or semiskilled. Recruited largely in tenement neighborhoods, often from recent immigrants or other groups with little or no industrial experience, they have limited knowledge of job opportunities. Of 642 women reporting on previous work in a recent New York study, 51 per cent had never worked outside their own homes; 15 per cent had worked in completely

¹³ New York. Department of Labor. Home Work in the Men's Clothing Industry in New York and Rochester. Special bul. 147, August, 1926, pp. 9 and 10.

dissimilar occupations, such as domestic service, mercantile or clerical work, or dressmaking; 19 per cent had worked in factories but at different work; and only 18 per cent had been employed in factories at work similar to that which they were doing at home.¹⁴ A large proportion of these workers, therefore, are not helped by past industrial experience to know the opportunities for employment and to make the best use of them.

In many cases language difficulties handicap these people in the job market. Moreover, working as individuals they inevitably are in poor position to bargain for their labor. Their competition for work, in industries of very irregular employment, makes low rates of pay possible, while long hours of work and the illegal employment of children are evils all too often found as accompaniments.

Industrial home work flourishes chiefly in the tenement districts of the great cities, among foreign families or other unskilled, low-paid groups. Numerous studies have found the largest groups of home workers to be Italians, while many other foreign workers, white Americans, and negroes also are engaged in industrial work in their homes. Of approximately 21,500 home workers in New York State in 1926-27 about 11,000 were reported to be Italian, 4,800 Jewish, and 2,400 "American," no other group having as many as 900.¹⁵ Of 670 home workers studied in New York State in 1928 the foreign born constituted 62 per cent and three-fourths of the native born were of foreign parentage.¹⁶ In Pennsylvania in 1924, of 618 fathers of children engaged in industrial home work more than half were Italians. Nearly a third of the 618 were native born.¹⁷

Much industrial home work consists of very simple processes or can easily be subdivided into simple processes. As a result it is feasible for members of the family of all ages and degrees of skill to take part, and the illegal employment of child labor is found frequently and is very difficult to prevent. New York inspections in the year 1926-27 disclosed 175 children under 16 illegally employed on home work, 57 of them ranging from 10 down to 4 years.¹⁸ In 1923 an investigation of 2,169 New York home-workers' families found children engaged on home work in 22.6 per cent of the 1,591 families reporting children of over 5 and under 16 years; 93 per cent of the children were illegally employed, 79 per cent being under 14 years and 35 per cent 10 years or under.¹⁹ In Pennsylvania violations of the child labor law were found in one-fourth of the 1,230 home-working families with children under 16 inspected in 1927.²⁰

¹⁴ Ibid., p. 29. See also U. S. Department of Labor. Women's Bureau. The Immigrant Woman and Her Job. Bul. 74, 1929, pp. 138-158.

¹⁵ New York. Department of Labor. Annual Report of the Industrial Commissioner for the 12 Months Ended June 30, 1927. Report of the division of home-work inspection, 1927, p. 252.

¹⁶ Ibid. Some Social and Economic Aspects of Home Work. Special bul. 158, February, 1929, pp. 8 and 10.

¹⁷ Pennsylvania. Department of Labor and Industry. Industrial Home Work and Child Labor. Special bul. 11, 1926, pp. 5 and 11.

See also U. S. Department of Labor, Children's Bureau. Child Labor in New Jersey, part 2. Children engaged in industrial home work. Bul. 185, 1928, pp. 15 and 58; and Colson, Myra Hill, Negro Home Workers in Chicago. In Social Service Review, September, 1928, pp. 385-413.

¹⁸ New York. Department of Labor. Annual Report of the Industrial Commissioner for the 12 Months Ended June 30, 1927. Report of the division of home-work inspection, 1927, p. 254.

¹⁹ New York State Commission to Examine Laws Relating to Child Welfare. Third annual report, Apr. 9, 1924, pp. 35 and 52.

²⁰ Pennsylvania. Department of Labor and Industry. Labor and Industry, March, 1928, p. 15.

And a study in New Jersey in 1925 found that in 628 homes 63 per cent of the workers were children under 16, almost one-fourth of these being under 10 years.²¹

Reasons for doing home work.

The causes that induce women to undertake industrial work in their homes are of the sort that take other women into factories, chiefly the pressure of family needs that can not be met from other family income.²² Inadequate earnings of the husband, illness, unemployment, all play their part. Often family convenience keeps the woman at home rather than in factory work, in order to care for young children or old or disabled members of the household. Custom and habit have a very important part, for in many cases industrial home work is the accepted thing while factory work appears strange, unsuitable, and repugnant. Some home workers are handicapped by age or physical disability and find in work at home an occupation and source of income, but they are in the minority.

The recent study of the Bureau of Women in Industry in New York is illuminating on these points.²³ Of 670 home workers interviewed 83 per cent worked to supplement inadequate family income and 13 per cent for extra spending money, while in 4 per cent of the cases the earnings from home work were the sole source of support. The women reported also as to why they took home work rather than factory or other employment outside their homes. Care of the children was given by 56 per cent of the women as their reason for working at home, care of the home by 20 per cent, and physical disability or old age by 20 per cent. Other women worked at home because it meant freedom to regulate their own work, because it was more in line with the social tradition of their group, because of lack of experience or inability to speak English, because of inability to secure outside jobs (investigation was made during a period of widespread unemployment), or because of other duties that kept them at home.

EARNINGS

Several studies give evidence on home workers' earnings. These usually are the earnings of the family group, since ordinarily the work of individuals is not separated. The 1924 report of the New York State Commission to Examine Laws Relating to Child Welfare contributes the following:²⁴

Granting, for the sake of argument, that the income from home work is necessary by reason of the economic status of these families, we properly may seek information as to the amount of earnings obtained from this source. It may be surprising to those uninformed on the subject, to find that 1,520 families visited, or 85 per cent, received less than \$500 a year from home work, while

²¹ U. S. Department of Labor. Children's Bureau. Child Labor in New Jersey, part 2. Children engaged in industrial home work. Bul. 185, 1928, pp. 4 and 58.

²² Pennsylvania. Department of Labor and Industry. Labor and Industry, April, 1927, pp. 10-13; and U. S. Department of Labor. Children's Bureau. Child Labor in New Jersey, part 2. Children engaged in industrial home work. Bul. 185, 1928, pp. 51-55.

²³ New York. Department of Labor. Some Social and Economic Aspects of Home Work. Special bul. 158, February, 1929, pp. 6-7 and 12-13.

²⁴ New York State Commission to Examine Laws Relating to Child Welfare. Third annual report, Apr. 9, 1924, p. 70.

1,074 families, or 60 per cent, earned less than \$300 annually from tenement manufacturing. Does the addition of six to ten dollars a week to the family income compensate for the attendant evils of the home-work system?

The New York State Department of Labor found that in the men's clothing industry in New York City for the year ended June 30, 1925, home workers averaged weekly earnings of over \$10, about one-third the earnings of factory workers.²⁵ In the more recent report from New York the median earnings of individual home workers in a usual week were \$6.19 for all industries and ranged from \$12.50 in the men's neckwear industry down to \$3.88 in the making of powder puffs.²⁶ The Pennsylvania Department of Labor and Industry in 1924 found that among 599 families with children working illegally 86 per cent of the families earned less than \$10 a week, while one of every three families earned under \$4 a week.²⁷ Another study, in 1928, reported on hours and earnings of 820 home-working families in Pennsylvania. The report concluded as follows:

Industrial home work was rarely a full-time occupation, but it was as much the irregular receipt of the work as the demands of household responsibilities which determined its part-time nature. The earnings from home work were low. The median hourly rate of pay for all workers was 16 cents; it was only 6 cents in one industry and never above 21 cents in any industry. The median weekly earnings for adult individual workers were \$4.40. Where the weekly earnings were the result of the combined efforts of more than one member of the family, the median was \$5.25. The irregular hours of work and the earnings as reported in this study show conclusively that industrial home work is not making any important contribution to the economic stabilization of home-working families.²⁸

The United States Children's Bureau, in its study in New Jersey in 1925, secured information on annual earnings from home work from 334 families. Less than 5 per cent of the families earned \$500 or more, while 46 per cent earned less than \$100 and 23 per cent less than \$50.²⁹ The report sums up the problem in the following words.³⁰

Whether the earnings from home work were more necessary in the families interviewed than in others in the same locality in which the children did not work there was no way to determine, but it is apparent, if the families visited can be taken as a fair example, that the great majority of the industrial home workers are very near the border line of economic dependence and that in many families the pressure of unemployment, ill health, and low wages is sufficiently great to cause parents to turn to home work. But home workers earn so little as a rule that home work offers no solution of the problem of family dependency. Bearing in mind the fact that the burden of the work falls very often upon the mothers of young children and on the children themselves, it could not be regarded as offering an adequate solution even if the earnings added appreciably to the family income. More adequate relief measures are needed in cases where the father's earnings are insufficient to support the family or where illness, widowhood, or desertion creates a special need, while persistent thought is given to the solution of unemployment, a living wage for unskilled work, and other economic problems.

²⁵ New York. Department of Labor. Home Work in the Men's Clothing Industry in New York and Rochester. Special bul. 147, August, 1926, p. 36.

²⁶ Ibid. Some Social and Economic Aspects of Home Work. Special bul. 158, February, 1929, p. 24.

²⁷ Pennsylvania. Department of Labor and Industry. Industrial Home Work and Child Labor. Special bul. 11, 1926, pp. 5 and 22.

²⁸ McConnell, Beatrice. Hours of Work and Earnings of Women Employed in Industrial Home Work. Labor and Industry, June, 1929, p. 10.

²⁹ U. S. Department of Labor. Children's Bureau. Child Labor in New Jersey, part 2. Children engaged in industrial home work. Bul. 185, 1928, pp. 4 and 46.

³⁰ Ibid., pp. 54-55.

HAZARDS TO PUBLIC HEALTH

Questions of sanitation and health also are important phases of the industrial-home-work problem. Studies in recent years have found the majority of homes visited clean and in fairly good condition, but always some are found that show evidences of filth or other neglect or in which work has continued while communicable diseases were present. Recent investigations in New Jersey and Pennsylvania found articles being made in homes where diseases such as measles, whooping cough, scarlet fever, influenza, tuberculosis, syphilis, and gonorrhea were in existence.³¹ Such conditions, even though found in only a small minority of cases, point to serious possibilities of danger to public health.

A statement from Massachusetts is typical of the lack of definite information on hazards to public health or to the health of workers under the home-work system of production. As in most States, neither the department of labor nor the department of health has made studies of these questions.

There is no well-defined information available as to the spread of communicable or contagious diseases through the agency of wearing apparel made in the home. The difficulty in seeking such information is obvious. It is almost impossible to prove that the onset of disease may be traced to contact with germs under these conditions. There are circumstances in which it would be perfectly sound to believe potential danger existed in contact with garments made where exposure to contagious disease prevailed. This opinion has been expressed to me by an official connected with the department of public health in this State. There is no record available in the department of labor and industries or in the department of public health that would be helpful. The spread of communicable disease comes within the activities of the department of public health in Massachusetts. It is only the diseases of industry arising out of and in course of employment that are covered in the jurisdiction of the department of labor and industries. In this department there is no record of occupational diseases among home workers, * * * nothing has come to our attention that would justify making an investigation. The employment is intermittent in character and is usually done under circumstances free from physical danger.³²

In Newark the department of health cooperates with the State department of labor in making home-work inspections. On the bases of these investigations, the city health officer still holds to the following statement,³³ which he made in 1923, in regard to home work and the health of the workers:

Whatever objections there may be to sweatshop work from a labor or economic standpoint they are far outweighed by the extreme menace to the health of the sweatshop worker. There are few tenement buildings in point of light, ventilation, and general sanitary condition suitable for any kind of home work. The average tenement rooms in large cities are overcrowded at best; they are frequently dark and nearly always unventilated and overheated. The great majority of these workers have household duties to perform and must snatch whatever hours are available either from what should be really periods of rest or sleep. It is not strictly true that the sweatshop worker is an economic misfit for many could suitably work in factories were the time available from

³¹ See Pennsylvania. Department of Labor and Industry. Industrial Home Work and Child Labor. Special bul. 11, 1926, pp. 23-26; U. S. Department of Labor. Children's Bureau. Child Labor in New Jersey, part 2. Children engaged in industrial home work. Bul. 185, 1928, pp. 56-57; New York State Commission to Examine Laws Relating to Child Welfare. Third Annual Report, Apr. 9, 1924, pp. 76-77 and 79.

³² Letter from John P. Meade, director, division of industrial safety, Massachusetts Department of Labor and Industries, July 9, 1929.

³³ Craster, Charles V. The Home Sweatshop and its Health Problems. In Nation's Health, May 15, 1924, pp. 306-307; and letter of June 7, 1929.

other duties or family ties. The work is at the same time attractive to the sickly and diseased who are enabled to work only when their condition permits, and who find the elastic hours of sweatshop labor the only form of labor they can accomplish. * * *

The investigation of sweatshops showed that this work is carried on in places where "in a large majority, under insanitary conditions, there can be no doubt as to the spread of disease of one nature or another."

In Illinois, where the department of health's sanitary codes applying to factories, workshops, and wholesale and retail food establishments cover all places where industrial home work occurs, the department of health found in 1929 nut shellers, Mexican tortilla makers, and doughnut makers and vendors doing work at home and under crowded, insanitary conditions.³⁴ These persons were forced to cease operations.

DIFFICULTIES OF REGULATION

The industrial-home-work system by its very nature calls for public regulation. It is found in industries of seasonal and very irregular employment, subject to fluctuation with changes in fashion or process.³⁵ It is used by employers to secure rapid expansion and contraction of the working force without providing overhead and taking full responsibility for a stable group of workers. The employers are numerous, most of them operating in a rather small way with few factory employees, unstable and adjusting quickly to market changes. The home workers are chiefly women, aided in many cases by children, and they are engaged for the most part in simple operations. They are a group with little industrial experience, handicapped in the job market by that inexperience and by home responsibilities, sometimes by physical disabilities, by language, and by custom. The pressure of family needs, however, compels them to seek work, while their low earnings reflect the fact that, working as individuals rather than as a group, they are poor bargainers in the labor market. Low wages, unregulated hours, poor working conditions, and child labor are familiar aspects of this system of production, which carries with it possibilities of menace to public health.

The same facts that produce a need for public regulation make the home-work industries preeminently difficult to regulate. Irregular production, large numbers of employers of an unstable, shifting character, and an equally unstable group of workers scattered in tenement homes present a difficult problem to attempts at control.

If the evils that always accompany unregulated industrial home work are to be prevented and the home workers given the protection that is set up for other workers through labor laws the States must know the facts as to their own conditions and make continuous efforts to control them. A few States have attacked their problem sufficiently to know its difficulties and to make progress toward its control. Some of the State reports are illuminating on these questions.

³⁴ Letter from Industrial Commission of Illinois, Bureau of Statistics and Research, Dec. 31, 1929.

³⁵ New York. Department of Labor. Industrial Bulletin, June, 1928, pp. 277-278; Pennsylvania. Department of Labor and Industries. Labor and Industry, April, 1927, pp. 8-13; and U. S. Department of Labor. Children's Bureau. Child Labor in New Jersey, part 2. Children engaged in industrial home work. Bul. 185, 1928, pp. 11-13 and 31-32.

From New York come two significant statements. The first is as follows:

This problem is one of more than routine inspection. It is one which, as before stated, involves continuous study and investigation such as the bureau of women in industry is in a position to undertake. Most of the home workers are either women or children, and to place the supervision of manufacturing in tenements under the bureau of women in industry would give to the administration of the laws a new viewpoint that would be most beneficial.

* * * The bureau should not alone carry on the routine work of inspection but it should study continuously the health, the social, and the economic aspects of this problem. In doing this it should of course work in close cooperation with the city and state departments of health and with the many social and civic organizations which for many years have been interested in this problem.³⁶

The second has to do with the men's clothing industry:

The fact that in many industries in New York State work is carted to homes where articles are wholly or partially made and then carted back to the factory, creates not only a complex industrial situation but problems which are especially difficult of solution. Many States, as has New York, have written into their labor law certain minimum legal standards for the control of industrial home work. But the very conditions under which the work is carried on make it elusive of control. * * *

Although modern industrial development has resulted in transferring in great part the making of men's clothing from the home to the factory, earlier methods of production persist nevertheless, based upon certain conveniences to the worker, certain advantages and economies to the employer. As home work assumes a minor place in the detail of production, employers are generally oblivious of the implications involved in the system or of the extent to which the practice exists in their own shop or in the industry. Workers also are uninformed as to the exact status of home-work employment in the industry, although efforts have been made by unions to abolish the giving out of work.³⁷

From Pennsylvania also are two statements that reach the heart of the problem. The first stresses the importance of educating employers and workers:

The organization of industrial home work in accordance with the laws and regulations of the department of labor and industry is not simple. Supervision of work that is not done in the factory proper is a difficult task. Observance of the law is largely a matter of education. Employers must be made to realize that the standards of employment for women and children as set up by this Commonwealth can not be disregarded by the simple expedient of sending out work to be done in the homes. Home-working families must be instructed in the regulations and be made to see that the continuance of their work depends on their obedience to the law.³⁸

The second concerns the administration of regulatory laws:

Since the labor supply in industrial home work is essentially one of women and children and since the administration of home-work legislation is one that involves continuous study and investigation rather than routine inspection, the administration of these regulations has been turned over to the bureau of women and children of the department of labor and industry. A special investigation force has been developed to look after the enforcement of the laws and regulations, and cooperate with the employers in meeting the problems that arise in the regulation of conditions of labor in the homes.

The State of Pennsylvania is determined that the labor of its women and children shall be carried on under the best possible conditions. Whether the

³⁶ New York State Commission to Examine Laws Relating to Child Welfare. Third annual report. Apr. 9, 1924, p. 79.

³⁷ New York. Department of Labor. Home Work in the Men's Clothing Industry in New York and Rochester. Special bul. 147, August, 1926, pp. 6-7.

³⁸ Pennsylvania. Department of Labor and Industry. Labor and Industry, March, 1927, p. 13.

industrial-home-work system is good or bad, it is, and the problem is how can it best be controlled. The department of labor and industry has attempted to meet the problem by adopting regulations, and providing machinery to enforce them. The system of administration, involving constant investigation, should provide a scientific basis for deciding whether the condition of labor in homes can be controlled or whether the whole idea of factory work in the home is obsolete and should be abolished.³⁹

The essence of the problem of control is to put the responsibility for observance of the laws on the employers who give out home work. When the cooperation of the employers is secured through a campaign of education substantial progress can be made toward elimination of some of the evils of the home-work system.

REPORT OF COMMITTEE OF ASSOCIATION OF GOVERNMENTAL LABOR OFFICIALS

In February, 1926, the Association of Governmental Labor Officials of the United States and Canada appointed a committee "to look into the question of industrial home work, the extent to which such work is conducted in the various States, and the methods being taken to deal with the situation * * *." In the time intervening before the annual convention in June the committee conducted an investigation by questionnaire to the State labor officials. The report made to the convention summarized the information secured and made certain recommendations. The essential parts of the report are quoted here.⁴⁰

Answers to the questionnaire indicate that except for sparsely populated agricultural and mining States industrial home work of some sort is to be found in almost every part of the country. Specific information on the extent, kinds, and conditions of home work, however, is reported as not available in most of the States, and complete information on these points can not be said to be available for any State. Except from a very few States nothing was learned as to the extent of interstate shipment of goods to be worked on in homes, information regarding which was requested. * * *

Replies to the questionnaire and examination of the laws of the various States show that 14 States have some sort of regulation of industrial home work. These are California,^a Connecticut,^b Illinois, Indiana, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Ohio,^c Pennsylvania, Tennessee, and Wisconsin.

In general, these regulations relate to cleanliness and sanitary conditions of the work place, to freedom from infectious and contagious disease, and (less commonly) to adequate lighting and ventilation and number of cubic feet of air space to be allowed per worker. In most of the States a license or permit must be obtained from the State authority enforcing the labor laws, either by the worker (Maryland, Massachusetts, Michigan, New Jersey) or by the employer or person giving out home work (California,^d Indiana, New York, Pennsylvania, Wisconsin), this license indicating that the standards of the law have been met.

Observance of certain of the standards of the labor laws relating to women and children is sometimes made a condition of the issuance and holding of a permit to give out home work. Inspection is relied upon as the method

^a In California the regulatory measure consists of an order of the industrial welfare commission acting under its power to regulate the wages and conditions of employment of women and minors; in the other States they consist of State laws, supplemented, in some instances, by rulings of State boards.

^b The Connecticut and Ohio laws, however, have no application to the members of the family living in the home where the work is done.

^c In California the permit must be obtained from the industrial welfare commission, which issued the home-work order.

^d Ibid. Industrial Home Work and Child Labor. Special bul. 11, 1926, pp. 29-30.

⁴⁰ U. S. Bureau of Labor Statistics. Proceedings of Thirteenth Annual Convention of Association of Governmental Labor Officials of the United States and Canada. Held at Columbus, Ohio, June 7-10, 1926. Bul. 429, 1927, pp. 34-40.

of discovering whether the standards set by the law are continuously complied with.

In California, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, Pennsylvania, and Wisconsin (and perhaps in other States by administrative practice) the employer is required to keep a register of the persons to whom home work is given by him, containing their names and addresses, and in some States certain other information. It is usually stated that this register shall be accessible to the inspector. In Massachusetts this register must be sent monthly to the State labor department; in Pennsylvania it must be sent to the labor department quarterly.

Answers to questions 8 and 9 ("What is your opinion as to the effectiveness of these regulations?" and "What would you suggest as the most effective type of regulation on this subject?") were on the whole disappointing. The most significant information yielded was that no uniformity of opinion existed as to the best method of regulation even where there was a recognized industrial-home-work problem and where regulation existed.

In brief, the information obtained from the State labor officials and other sources leads the committee to the following conclusions in regard to the two matters it was especially instructed to inquire into—the extent of the home-work problem and the methods of dealing with the situation that are in effect.

First. As to the information available regarding the extent and conditions of industrial home work in the United States at the present time:

1. Industrial home work is without question a live problem in many sections of the United States.
2. In most localities in which it has arisen, serious evils have been found to follow from its practice.
3. However, information as to its prevalence, the numbers and kinds of workers engaged in it, the conditions under which the work is done, the industries affected, and the interstate aspects of the problem is either lacking entirely or admittedly inadequate in many sections of the country, even in States where the existence of home work (at least in some industries) is known to the State authorities, and even in States where the existence of a home-work problem has been recognized in the enactment of prohibitory or regulatory legislation.

4. Therefore no complete report as to the extent and conditions of home work in this country can be made, and further investigation on the subject is urged.

Second. As to the methods in effect of dealing with the situation:

1. Some system of legal regulation is unquestionably necessary, at least in States where the industrial-home-work problem exists.
2. Certain minimum standards of legal regulation may be agreed upon on the basis of the experience of the States up to the present time.
3. However, no general agreement among the State officials and other authorities appears to exist as to the most effective program for the correction of the evils of industrial home work, and no information is available that can enable the committee to judge conclusively as to the relative effectiveness of the different methods in operation.

RECOMMENDATIONS

In view of the facts brought out by the inquiry, the committee on industrial home work decided to place chief emphasis "upon the need for further information as to the facts of industrial home work and as to effective methods of correcting the evils found to exist wherever home work is undertaken on any extensive scale. * * * " It made as its chief recommendation a continuation of the study of the industrial-home-work problem by the association and its membership in the various States. In addition the committee strongly recommended that a study of the comparative effectiveness of the different types of home-work regulation should be undertaken by some independent research organization, working in cooperation

with the State agencies but assuming full responsibility for the investigation and report.

Finally, the committee presented a set of minimum standards of regulation recommended pending further research. This part of the report follows:

Minimum standards of regulation recommended pending further research.

Although the members of the committee felt that the facts at their command at the present time were insufficient to enable them to recommend a complete legislative program, certain minimum standards of regulation operative in some States at the present time were agreed upon by all members of the committee as desirable, at least pending the study of regulatory machinery that is necessary before a more considered program can be recommended.

Before enumerating the standards agreed upon, mention should be made of two methods of control not covered in these recommendations:

First, although certain members of the committee were of the opinion, many times expressed by numerous governmental and other authorities as the result of careful study of the problem, that the cure of the evils of home work could probably be achieved only through the legal prohibition of all kinds of factory work in the home, the committee as a whole was of the opinion that no stand could be taken on this point without a more thorough knowledge of the effectiveness of less drastic methods of control. Moreover, the great difficulty of securing the passage of prohibitory legislation makes necessary for practical reasons the consideration of other and more easily obtainable measures.

Second, the application of minimum-wage legislation to industrial home work, regarded in countries in which it has been tried as a relatively successful measure of regulation, has not been given serious consideration by the committee as a method of controlling the home-work problem in the United States at the present time because of the present constitutional status of legislation of this kind.

Following are the minimum standards of regulation unanimously agreed upon by the committee:

1. Absolute prohibition of the manufacture of certain kinds of articles in the homes is necessary for sanitary reasons, either for the protection of the consumer, as in the case of foodstuffs, certain articles of clothing, etc., or for the protection of the worker in cases where poisonous or otherwise injurious materials are used in manufacture of the goods concerned.
2. All labor laws of a State, including legislation regulating child labor and the hours of labor of women, workmen's compensation or employer's liability laws, minimum-wage legislation, and the legal standards for safety, sanitation, and working conditions, should apply to industrial work of all kinds done in the home as well as to that done in the factory.
3. Responsibility for full compliance with such laws and with any special regulations applicable to home work should be placed upon the manufacturer for whom the work is done, irrespective of whether the work is given out by him directly or through another person. He should be required to keep on file a register containing the names, addresses, and ages of all home workers employed on work for him, the kind and amount of work done, rate of pay and actual wages paid, together with such additional information as the department of labor may require, accessible to inspectors of the department, and should send a copy of this register periodically to the labor department. No employer or contractor should be permitted to give out home work who is not licensed to do so by the State department of labor and no employer should be licensed to give out home work who does not enforce compliance with all the requirements of the labor law applicable to home work in the homes in which work is done for him.
4. Adequate authority for the enforcement of all laws applying to factory work done in homes should be given by law to the State labor department, and an adequate inspection staff should be provided for this work. Periodic inspections of places where home work is done should be made. It is believed that in States where the industrial-home-work problem is an extensive one, the appointment of a special staff of inspectors who will devote their entire time to the enforcement of the regulations applicable to home work will result in greater efficiency of administration than when the work is handled by regular factory inspectors assigned also to other duties.

5. Local boards of health shall notify the State labor department daily of all cases of communicable disease occurring in the locality over which they have jurisdiction, giving the name and address of the person suffering from the disease, and the State labor department shall report immediately to employers the names and addresses of all home workers registered as employed by them in whose homes such disease exists.

6. A tag or label giving the name and address of the manufacturer, the nature and quantity of the goods, and the name and address of the worker or workers to whom the goods are given out to be worked on shall be placed upon each unit of delivery or shipment to a home worker, and this label shall not be removed until the work has been completed and returned to the employer.

7. The members of the committee did not feel sufficiently certain of the effectiveness of the different systems now in operation in a number of States whereby individual families or residences are licensed for home work by the State labor department to recommend the adoption of a specific method of regulation of this type. The committee is, however, of the opinion that this machinery should certainly be retained by the States in which it is now operating until such time as more effective methods of enforcement have been worked out by these States.

At the convention in 1927 a supplementary report of the committee on industrial home work included a useful summary of the information obtained by the committee from the States. References to previous studies and information on the existing home-work situation and on the legal regulations in the various States were included. The report of the committee was adopted by the association.⁴¹

⁴¹ U. S. Bureau of Labor Statistics. Proceedings of Fourteenth Annual Convention of Association of Governmental Labor Officials of the United States and Canada. Held at Paterson, N. J., May 31 to June 3, 1927. Bul. 455, 1927, pp. 73-96.

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