

## APPENDIX No. 4

Prof. SKELTON.—But explicitly saying it shall be the per diem wage, not the wage per hour.

## THE OKLAHOMA ACT OF 1908.

The Oklahoma Act, passed in 1908, and recently upheld as constitutional, covers all direct employment of labourers, workmen, and mechanics . . . as well as prison guards and janitors . . . and their employment by contractors 'for any public work' . . . which in fact means, any public works. The Commissioner of Labour writes that 'the law is construed to apply to all labourers, workmen, mechanics or other persons employed in the construction of buildings, bridges, municipal water, light and gas systems, street paving, sidewalk building, where it is done by the municipality, and all other work or contracts that involve the expenditure of public money.' The last clause is rather sweeping, but so far as can be judged from the evidence at hand does not in practice comprise anything of importance not specifically enumerated in the list preceding; the annual report of the Department of Labour for 1908-9 records eighteen violations of the law, none of which concerned other than public works, e.g., sidewalk, paving, sewer and waterworks construction and the erection of school buildings. (*See Exhibit B. (3)*).

The hours prescribed differ in some cases from those in force on private work, but there is said to be no difference in the per diem wages received. The law is not always strictly observed, according to the commissioner, but it is strictly enforced, and no great trouble is found in enforcing it once the attention of the contractors has been called to its provisions.

## THE KANSAS LAW OF 1891—ENFORCED IN 1898.

The Kansas law, the earliest of the state enactments, was passed in 1891, but remained a dead letter until 1898, when the legislature placed its enforcement in the hands of a Commissioner of Labour. It was later attacked as unconstitutional, but was upheld both by the Kansas Supreme Court and the United States Supreme Court, in 1903, in a decision which has set an important precedent. Previous to this decision of the United States Supreme Court the State Supreme Courts had been steadily going against the constitutionality of the Act, but since then the tendency has been to uphold them if not more extensive than the Kansas measure. (*See Exhibit B. (2)*).

## HOURS OF LABOUR ON SATURDAYS.

*By Mr. Macdonell:*

Q. What about Saturdays? How do the States deal with Saturdays? Take the Wisconsin Act for example.—A. No provision is made in any law, except that of Massachusetts for Saturday. It is a very interesting point and one I was thinking of suggesting. The Massachusetts law provides that the hours of labour shall be eight per day, while if a half holiday is given on Saturday the hours may be sufficiently longer on the other days to make it forty-eight hours per week.

*By the Chairman:*

Q. Forty-eight hours or fifty-four?—A. Fifty-four in the case of the municipalities which have not accepted the provisions of the eight-hour law.

*By Mr. Smith:*

Q. Supposing they have a half holiday on Saturday?—A. There is no provision for a half holiday on Saturday except in the Massachusetts case; that is the point I thought of bringing up for the consideration of the Committee. For example, in Hamilton and in London, to take two typical cities, the building interests have a forty-four hour week, eight hours on five days and four on Saturday. It is doubtless