

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1693 Session of
1971

INTRODUCED BY MESSRS. MELTON AND BARBER, NOVEMBER 11, 1971

REFERRED TO COMMITTEE ON LABOR RELATIONS, NOVEMBER 29, 1971

AN ACT

1 Amending the act of July 25, 1913 (P.L.1024), entitled "An act
2 to protect the public health and welfare, by regulating the
3 employment of females in certain establishments, with respect
4 to their hours of labor and the conditions of their
5 employment; by establishing certain sanitary regulations in
6 the establishments in which they work; by requiring certain
7 abstracts and notices to be posted; by providing for the
8 enforcement of this act by the Commissioner of Labor and
9 Industry and others; by prescribing penalties for violations
10 thereof; by defining the procedure in prosecutions; and by
11 repealing all acts and parts of acts inconsistent with the
12 provisions thereof," reducing certain age requirements.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Subsection (b) of section 3 and section 18, act
16 of July 25, 1913 (P.L.1024), entitled "An act to protect the
17 public health and welfare, by regulating the employment of
18 females in certain establishments, with respect to their hours
19 of labor and the conditions of their employment; by establishing
20 certain sanitary regulations in the establishments in which they
21 work; by requiring certain abstracts and notices to be posted;
22 by providing for the enforcement of this act by the Commissioner
23 of Labor and Industry and others; by prescribing penalties for

1 violations thereof; by defining the procedure in prosecutions;
2 and by repealing all acts and parts of acts inconsistent with
3 the provisions thereof," amended December 1, 1965 (P.L.1012),
4 are amended to read:

5 Section 3. * * *

6 (b) Nothing in this section or in any other provisions of
7 this act shall apply to the employment of females in
8 agricultural field occupations, or in domestic service in the
9 home of the employer, nor shall any provisions of this act which
10 relates to the regulation of hours of employment apply to the
11 work of registered nurses in hospitals, or to the work of
12 females over [twenty-one] eighteen years of age who are employed
13 in a bona fide executive, administrative or professional
14 capacity, as confidential secretaries, or as outside salesmen as
15 such terms are defined and delimited from time to time by
16 regulations issued by the Secretary of Labor and Industry with
17 the approval of the Industrial Board.

18 * * *

19 Section 18. Any person who, whether by himself or for
20 another, or through an agent, servant, or foreman, shall violate
21 any provisions of this act, shall be subject to the following
22 penalties:

23 Upon conviction for violation of any provision of section
24 three, four, five, seven, or fifteen of this act, he shall be
25 punished, for a first offense, by a fine of not less than fifty
26 (\$50) dollars and costs, or more than one hundred (\$100) dollars
27 and costs, and, upon nonpayment thereof, be imprisoned in the
28 county jail for not more than ten days; for a second or
29 subsequent offense, by a fine of not less than one hundred
30 (\$100) dollars and costs, or more than two hundred (\$200)

1 dollars and costs, and, upon nonpayment thereof, by imprisonment
2 in the county jail for not more than sixty days; and whenever
3 any person shall have been notified by the Department of Labor
4 and Industry, or by the service of a summons in a prosecution,
5 that he is violating such provision, he shall be punished by
6 like penalties in addition for each and every day that such
7 violation shall have continued after such notification.

8 Upon conviction for a violation of any of the provisions of
9 sections eight, nine, ten, eleven, twelve, thirteen, or fourteen
10 of this act, the punishment shall be without regard to the
11 number of females employed, for a first offense, not less than
12 twenty-five (\$25) dollars and costs, or more than fifty (\$50)
13 dollars and costs, and, upon nonpayment thereof, imprisonment in
14 the county jail for not more than twenty days; for a second or
15 subsequent offense, a fine of not less than fifty (\$50) dollars
16 and costs, or more than two hundred (\$200) dollars and costs,
17 and, upon nonpayment thereof, imprisonment in the county jail
18 for not more than sixty days; and whenever any person shall have
19 been notified by the Department of Labor and Industry that he is
20 violating such provisions, and shall have been given a
21 reasonable time in which to remedy the condition which shall
22 constitute such violation, he shall be punished, in addition to
23 the penalties aforesaid, by like penalties for each and every
24 day that such violation shall have continued after the
25 expiration of the time allowed by the Department of Labor and
26 Industry for remedying the aforesaid condition: Provided,

27 First. That an employer will be fully protected against
28 unintentional violations of sections 3, 4 and 5 of this act and
29 regulations issued thereunder, if before employing or permitting
30 any female under [twenty-one] eighteen years of age to work in

1 his establishment he has received from that employe an age
2 certificate issued by the proper officials of the school
3 district in which the prospective employe resides. These age
4 certificates must be kept on file by the employer for inspection
5 by authorized representatives of the Department of Labor and
6 Industry so long as the female is employed or until she reaches
7 the age of [twenty-one] eighteen whichever occurs sooner. An age
8 certificate will be no defense to any violation of the
9 provisions of this law and regulations issued thereunder if the
10 employer knows that it was obtained falsely or after knowledge
11 of the true age of the employe becomes known to him.

12 Second. That whenever a violation of any provisions of this
13 act shall also be a violation of another provision, or other
14 provisions of this act, penalties may be imposed for the
15 violation of each and every such provision.

16 Third. That under no circumstances shall any person be
17 sentenced to imprisonment for more than one year for any one
18 violation of this act.

19 Fourth. That whenever a violation of any of the provisions
20 of this act shall also be a violation of the laws of this
21 Commonwealth regulating the hours of labor and conditions of
22 employment of minors, penalties shall be imposed under only one
23 of such acts.