

**BUREAU OF EMPLOYMENT ESTABLISHED**  
**Act of Jun. 4, 1915, P.L. 833, No. 373**  
AN ACT

Cl. 43

Establishing under the Department of Labor and Industry a system of regulation of employers seeking employes and of persons seeking employment; and prescribing, as incidental thereto, certain duties of employers, and of county, municipal, township, and school authorities, and of agencies procuring employes for others; and prescribing penalties.

DEFINITIONS.

Section 1. Be it enacted, &c., That the term "bureau," as used in this act, shall mean Bureau of Employment.

The term "commissioner" shall mean the Commissioner of Labor and Industry.

The term "board" shall mean the Industrial Board of the Department of Labor and Industry.

The term "local offices" shall mean local, free, public employment offices.

BUREAU OF EMPLOYMENT.

Section 2. (2 repealed June 7, 1923, P.L.498, No.274)

DIRECTOR.

Section 3. (3 repealed June 7, 1923, P.L.498, No.274)

QUALIFICATIONS.

Section 4. (4 repealed June 7, 1923, P.L.498, No.274)

TERM OF OFFICE.

Section 5. (5 repealed June 7, 1923, P.L.498, No.274)

POWERS AND DUTIES OF THE DIRECTOR.

Section 6. (6 repealed June 7, 1923, P.L.498, No.274)

SUPERINTENDENT.

Section 7. (7 repealed June 7, 1923, P.L.498, No.274)

OFFICERS AND EMPLOYES.

Section 8. (8 repealed June 7, 1923, P.L.498, No.274)

TESTS.

Section 9. (9 repealed June 7, 1923, P.L.498, No.274)

DISTRICT BRANCH OFFICES.

Section 10. (10 repealed June 7, 1923, P.L.498, No.274)

LOCAL, FREE, PUBLIC EMPLOYMENT OFFICES.

Section 11. (11 repealed Apr. 6, 1949, P.L.399, No.46)

POWERS AND DUTIES OF THE INDUSTRIAL BOARD.

Section 12. The board shall,--

(a) Devise plans and take steps toward the regularization of employment in the industries and seasonal trades of the State.

(b) Investigate the feasibility of, and induce the State, counties, cities, boroughs, towns, and townships to undertake, public improvements during the periods of unemployment.

(c) Co-operate with any persons, employer, official, association, or organ of the press whatsoever, for the accomplishment of the aforesaid purposes; appoint sub-committees for juveniles, farm laborers, and for other purposes; and the membership of these sub-committees may be enlarged to include persons outside the board, but each sub-committee must be presided over by a member of the board.

REPRESENTATIVE COUNCILS.

Section 13. Each district and local office shall have a representative council, appointed by the commissioner. The council shall consist of six members, one of whom shall be a woman, and all of whom are citizens of the United States and of the State, and residents of the district where the council is to serve. One member shall be an employer, not a member of any employers' association; two members shall be representatives of employers' organizations; one member shall be a working person, not a member of any organization of working people, and two shall be representatives of organizations of working people. The commissioner shall designate one from the employers and one from the employes, to serve for a period of two years; one from each group, to serve for a period of four years; and one from each group, to serve for a period of six years. Upon the expiration of said terms, the term of office of each member thereafter appointed shall be for a term of six years, except that any member appointed to fill a vacancy shall serve for the unexpired term thereof.

The commissioner and the director shall be ex officio members of each council. The superintendent in charge of a district shall be chairman of the council for his district, and in case of his inability to be present at any meeting the director or the commissioner may act as chairman.

The actual and necessary traveling expenses incurred by members of district representative councils, while engaged in the performance of their duties, shall be paid by the State.

**Compiler's Note:** Section 9(c) of Act 173 of 1978 provided

that section 13 is repealed insofar as it is inconsistent with 1 Pa.C.S. § 2301(c) (relating to equality of rights based on sex).

#### DUTIES OF COUNCILS.

Section 14. The council in each district shall,--

(a) Devise methods and take steps toward the regularization of employment in the various industries and seasonal trades of the district.

(b) Devise plans and take steps to promote public improvements by municipalities within the district, during seasons of unemployment.

(c) Co-operate with any person, employer, association, or organ of the press in accomplishing the aforesaid purposes.

(d) Appoint sub-committees to deal specially with any subject which the council has power to investigate or act upon, but each sub-committee shall be presided over by a member of the council.

(e) Hold meetings at least once each month, or oftener if required, for the accomplishment of the aforesaid purposes; such meetings to be called by the chairman of the council, or to be fixed at any regular meeting of the council.

(f) Keep minutes of all meetings; submit a copy of all minutes, records, and decisions; and report in full on all actions or proceedings to the director. No rule shall be prescribed or action taken by the council inconsistent with the action of the board.

#### FREE SERVICES.

Section 15. The bureau shall neither charge nor receive fees, directly or indirectly, for any service or benefit rendered to those availing themselves of advantages provided. No official, employe, or person associated with the bureau in the performance of its duties shall charge, demand, accept, or receive, directly or indirectly, any fee, compensation, contribution, or gratuity for any service or duty performed as an official or employe of the bureau.

#### INDUSTRIAL DISPUTES, STRIKES, LOCK-OUTS, ET CETERA.

Section 16. Each person applying for employes at any public employment office shall file, in such form and manner as the director may require, a signed statement affirming or denying the existence of an industrial dispute, strike, or lockout at or in connection with the business or place of business for which such person is applying for help. Any citizen or employe may file at any public employment office a signed statement with regard to the existence of an industrial dispute, strike, or lockout affecting any business or trade. Each statement filed shall be exhibited in the public employment office, but not until it has been communicated to the employes affected if filed by employers, or to the employers affected if filed by citizen

or employes. In case a reply to such a statement is received, it shall be exhibited, together with the original statement, in the public employment office; but no statement or reply thereto shall be so exhibited until it has been ascertained, upon investigation, that an industrial dispute, strike, or lockout does exist at or in connection with the business or place of business in question. No official of the bureau shall assist, in any manner whatsoever, any person, firm, association, or corporation who is a party to an industrial dispute, strike, or lockout. Each person applying to any public employment office for help or employment shall give such information as the director may require.

#### FULL INFORMATION.

Section 17. It shall be the duty of the officer in charge of each public employment office, and of his assistants, to give full and complete information with regard to any position offered, and the terms and conditions relative thereto, to any person applying for such position; and to call the attention of such applicant to any statement, or reply thereto, with reference to the existence of any industrial dispute, strike, or lockout affecting the business or trade in which the position is offered.

#### DISCRIMINATION.

Section 18. No applicant for employment shall suffer any disqualification, or be otherwise prejudiced, at any public employment office on account of refusing to accept employment offered. The reliability and fitness of an applicant for the particular position which he is to fill shall always be taken into consideration in referring him to an employer. No applicant procuring employment with any employer other than the State, through the medium of the bureau or its officials, shall be regarded in any sense as an employe or official of the State.

#### JUVENILES.

Section 19. In case bureaus for vocational training and placement, or other similar bureaus, are established by local school authorities, the director shall co-operate with such bureaus in dealing with the employment of children between the ages of fourteen and eighteen years, in such manner as may be advisable. The director shall use all reasonable means to promote the establishment of bureaus for vocational training and placement, in connection with vocational education by public school authorities throughout the State. Until bureaus for vocational training and placement, or other similar bureaus, have been established by local public school authorities, for the purposes of directing, advising, and assisting children in the selection of suitable vocations, the director shall provide school principals and all public employment offices with special blank forms for the registration of all children having employment certificates, as required by law, and leaving school

lawfully in search of employment. Each child applying for employment may register at a public or other approved school with the principal of such school; and the principals of public or other approved schools are hereby authorized and required to register such applications for employment, to assist and advise each applicant in the selection of a vocation, in such manner as may be necessary, and to transmit immediately to the superintendent of the district branch office all applications for employment registered. The superintendent of each public employment office shall co-operate with the school principals in his district in endeavoring to secure suitable positions for children leaving school lawfully to enter a vocation, and shall guide and induce minors to enter promising vocations; and each principal shall acquaint the teachers and pupils of his school with the purpose and functions of the public employment office in placing juveniles.

#### PERMIT FOR FREE EMPLOYMENT AGENCIES.

Section 20. No provision of any section of this act shall be construed as applying to agents procuring employment for school teachers exclusively; nor to registries of any incorporated association of nurses; nor to departments or bureaus maintained by persons, firms, or corporations or associations, for the purpose of obtaining help for themselves, where no fee is charged the applicant for employment.

#### UNTRUE STATEMENTS.

Section 21. Any person wilfully making any untrue statement in applying to any public employment office shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment not exceeding six months, or both, at the discretion of the court.

#### PENALTIES.

Section 22. Except as herein provided otherwise, any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court.