Throughout the summer, the Committee has maintained a representative in Washington to do the intensive work necessary to insure adequate child labor provisions in the industrial codes and agricultural agreements, under the National Recovery program. No code has been neglected that affects child labor, although major attention has been concentrated on those where there were the gravest or the most long-standing abuses. The summer's work has covered the consideration and the submission of briefs on 41 codes or agricultural agreements, and an immense amount of direct, personal work with representatives of the administration and others in a position to influence decisions.

COTTON TEXTILE CODE

The code originally proposed by the cotton textile manufacturers contained no reference to child labor and the inclusion of a child labor ban was protested by the manufacturers as unnecessary in view of the proposed minimum wage of $10 in the South and $11 in the North. Within twenty-four hours, the National Child Labor Committee had sent in a vigorous protest and many organizations and individuals at its request, wired General Johnson urging a child labor provision; in the end, the manufacturers incorporated a clause eliminating the employment of children under 16 years.
In congratulating the manufacturers and the Recovery Administration on this step, the Secretary of the Committee at the same time protested earnestly against the laxity of the clause in the code dealing with "learners", which set no limit upon the number who might be employed or the bottom wage which might be paid them. Reports of abuses from various parts of the country have confirmed the Committee's judgment as to the inexpediency of such an exemption from the minimum wage. In some cases, skilled employees have been taken on, only on condition that they would work as "learners" for sub-standard wages. At the re-hearing on the cotton textile code, October 9th, the National Child Labor Committee is submitting a brief pointing out the evasions and urging a stricter learner clause.

BEET SUGAR LABORERS

Attention was focussed by the Committee on the possibility of remedying the long-standing and grave exploitation of labor in the beet sugar fields, including child employment, through the sugar stabilization agreement. A very convincing and devastating report was presented by Mr. Gibbons, the Committee's investigator, who spent several weeks in three communities of Colorado in the beet fields this summer. He found that many children as young as 7 to 8 years of age were compelled to labor 10 to 12 hours a day in the broiling sun, that living conditions were wretched, housing was bad, diet was insufficient for growing children and that the total pay was so utterly inadequate, even under these miserable conditions, that families of laborers were compelled to take public relief for 4 months or more each year.

At the request of the National Child Labor Committee three government departments secured supplementary data which confirmed the picture painted by Mr.
Gibbons, as typical of the sugar beet areas throughout the country. The Department of Agriculture secured comprehensive information as to the low scale of pay. The Federal Relief Administration secured, from two states, evidence that it was necessary for the State Relief Administration to subsidize beet sugar laborers heavily and The Children's Bureau of the Department of Labor, through correspondents in the State of Colorado, obtained evidence directly confirming Mr. Gibbons' information. In addition, at the request of the Committee, persons in Colorado interested in the welfare of the sugar beet laborers paid the expenses of one of these laborers, who appeared in Washington at the public hearing on sugar stabilization on August 10th and 11th. This capped the climax of the factual data presented, with a very human and dramatic appeal for justice for beet sugar laborers and their children, and relief from the intolerable conditions from which they suffered.

A second hearing on the Sugar Stabilization Agreement on August 29th reviewed the question of quotas raised at the first hearing and also took up marketing agreements for the beet sugar industry and codes for both that and the cane sugar industry. The Committee presented recommendations on each of these codes and agreements. Final action on them is yet to be reported but there is distinct hope that they may result in a radical improvement of conditions for the laborers and their children, who have suffered intolerably for so many years.

The Committee has outlined, in cooperation with the Children's Bureau, a list of safeguards that should be included for the protection of these laborers with respect to their wages, housing, contracts, provision of gardens, and the elimination of child labor.
Clauses were included in the lumber, coal, steel and construction codes eliminating child labor under 16 years. The Committee urged the revision of these clauses to specify an age limit of 18, rather than 16 years, for those actually engaged in the dangerous processes in mining, logging, work in saw mills, blast furnaces, construction work, etc. In each case data on accident rates and on the number of minors employed in the industry were submitted.

The Committee's recommendations have been successful in the case of the lumber code where the 18 year age limit will prevail in most of the processes.

In the case of bituminous coal, the Committee registered a very strong recommendation for raising the age limit giving, in addition to the general accident rates for the industry, the data on injuries to children under 18 employed in this industry. The Committee registered a second protest when the code drawn up for this industry by the NRA was presented, pointing out that it did not carry even an inclusive 16-year age minimum, the standard voluntarily adopted by the textile and other manufacturing industries. The Committee again at this time urged an 18-year age minimum and sent a strong letter to every member of the Labor Advisory Board calling attention to the weakness of the child labor provision in the coal code. A few days later the code finally agreed upon carried a 17-year age minimum for work inside the mine and for hazardous occupations outside the mine - a notable, though not complete victory.

The 90 day temporary code approved for the steel industry unfortunately carries no provisions safeguarding minors under 16 to 18 in spite of the convincing
figures submitted by the Committee, showing extremely high accident rates in certain processes of this industry.

The Committee also urged that there be more uniform consideration given to the provisions for apprentices in the codes dealing with the various divisions of the construction industry and submitted a statement of principles which should govern the employment of apprentices. Hearings on these codes have been completed, but the final codes have not yet been approved.

**CODE FOR RETAIL STORES**

The early draft of a code for the retail trade industry proposed by the National Retail Dry Goods Association was immediately protested by the National Child Labor Committee as inadequate especially in that it carried no child labor restrictions whatever, and specified a distinctly lower wage rate for junior employees under 18 years than for adults. The Committee pointed out that this code would open the way for the displacement of adult workers by lower paid junior workers. Later drafts of this code showed improvement, and the Committee, as each draft was published, offered constructive suggestions on the learner provisions. The most recent draft, in specifying a 16-year age minimum except for a 3 hour day time exemption for children 14 to 16, is a great improvement over the original draft. In other respects also, while still needing improvement it represents an advance, as in shortening the apprenticeship period from 12 to 6 months and in limiting the number of apprentices and junior employees.

A special protest was made in the case of the retail drug store code, which completely exempted from the minimum wage, curbstone helpers, who frequently are minors, along with porters, cleaners, and outside help. This was corrected in the revised code.

These codes are waiting final approval by the National Recovery Administration.
NEWSPAPER AND MAGAZINE CODES

One of the largest fields of Juvenile labor is the sale and delivery of newspapers and periodicals. It is also one of the fields where some of the grossest abuses of child labor are found. Thousands of very young children work late into the night; they are in contact with evil associates and subjected to improper physical exposure.

The temporary modifications in the President's Reemployment Agreement which were obtained by the newspapers, have left the door wide open for the employment of children in the sale and delivery of papers at any age, at any hour of the day or night, except during school hours. The same laxity is proposed by the newspapers for their permanent code.

The magazine publishers would obtain the same laxity if a clause proposed by the Periodical Publishing Industry, exempting from the age provisions of the code all those employed on a commission basis, is approved. It is well known that this would practically exempt young children employed in the sale of these periodicals from any code regulations. It is also well known that children so engaged are practically hired employees under the direct supervision of their employers.

In the face of the great difficulty of securing any publicity where newspaper policies are criticized, the Committee has exerted every effort to obtain backing for its plea that children engaged in the sale and distribution of papers and periodicals have a reasonable amount of protection. It submitted a brief summarizing the known facts as to the injurious effects of unregulated street sale by children, and arranged for several representative people to appear at the hearings in Washington. It also secured written protests from many organizations and
individuals on this code.

LEARNERS

As mentioned under the heading "Cotton Textile Code", one of the doors through which exemption from minimum wage provisions is sought in some of the industrial codes, is in clauses covering learners or casual and other loosely classified groups of employees.

These exemptions (in some cases without limit as to the number of learners that may be employed or the bottom wages that may be paid) may cause grave difficulties in effectively administering these codes. In addition to registering a protest against this clause in the cotton textile code (which has already resulted in many complaints) the Committee has made critical and constructive suggestions regarding it for about 18 other industries.

Memoranda of the Committee on this subject unfortunately have not resulted in satisfactory provisions in most of these codes, but the learners provision in the codes more recently submitted are on the whole more satisfactory on these points than those in the earlier codes.

In order to re-enforce its arguments against such loose exemptions, the Committee submitted a general memorandum on the subject of learners and apprentices exemptions, not only to General Johnson, but to various persons connected with the recovery administration.

JUNIOR AGE DIFFERENTIAL

Another source of danger, in some codes, similar to that of the learners' clauses, lies in provisions establishing a lower wage rate for junior em-
ployees. The Committee has submitted briefs on this subject in relation to codes covering the retail stores industry, the retail drug and the automobile industry, and hopes that its recommendations may be incorporated.

HOME WORK

A vigorous and substantiated statement on the abuses involved in the use of industrial home work in many manufacturing industries, was submitted to the NRA by the Committee, listing the proposed codes in which the provisions on this subject were unsatisfactory.

The codes presented by the shirt, corset, coat and suit, hosiery, drapery trimming, uniforms, millinery, jewelry, and men's and boys' clothing industries all include a clause prohibiting home work. There still remain, however, a number of industries in which home work is deeply entrenched. Some of these have submitted codes which attempt to restrict home work without altogether eliminating it; others by omitting all mention of home work would allow its continuance by default; some have still to be heard from.

SUMMARY

To sum up the results of the Committee's efforts during the summer, it can be said that very remarkable gains in the elimination of child labor are to be recorded in the codes that have been approved. Notable among these achievements are the 16-year age minimum in the cotton textile industry, although not at first proposed by the industry, which has subsequently been incorporated in all manufacturing industries; and the 16-year age limit (though with exemptions outside of
school hours) in the retail stores code, (although not in the original code) and subsequently adopted in other retail codes. In fact the 16-year age limit, with or without exemptions, is included in practically every code that has been submitted, with the notable exception of the newspaper and magazines codes which are yet to be considered.

The protection of youths (between 16 and 18 years) from excessively dangerous employment has been achieved so far only in the lumber industry, and up to 17 years in the bituminous coal industry but not in the steel industry one of the most dangerous. There is still hope of its being included in the codes for the construction industry.

To the many thousands of children who have been or will be released from toil through the child labor provisions in the industrial codes that have been approved or are about to be approved, it is earnestly hoped that many additional thousands will be added by provisions safeguarding the rights of childhood in the basic sugar stabilization agreement, if and when that is consummated.

ENFORCEMENT

Vital to the success of the recovery program will be the extent to which it is really translated into the protection of children, as well as adults, in their daily life or work. The seeds of danger and trouble that lie in some of the exemptions in codes already approved (such as the learners exemption in the cotton textile code) have already been mentioned. It is almost certain that unless there are revisions of some of the important codes to eliminate these danger points, they will be a drag upon the recovery program, if they do not actually result in breaking it down, at least in certain areas.
In addition there is the large question of the loyalty, spirit of cooperation and general compliance, that must be shown by employers from Maine to California and from Minnesota to Texas, if the recovery program is to be a live and working force for the protection of workers and is to safeguard the younger employees in less well organized industries against sub-standard wages or long hours and the various other evils which have been symptomatic of our industrial illness.

A review of the available facts with reference to complaints on the operation of the codes, that have been received by private and public agencies throughout the country, raises some very challenging questions. It seems quite clear that more centralized and studious consideration must be given to points of weakness in the administration of these codes. Through whatever agency this is done, it should be under the guidance of persons trained and skilled in the impartial adjudication of differences arising between employers and employees. The handling of such questions by laymen and others who are inexperienced in these matters, no matter how able they may be in other special fields, is charged with dangerous possibilities.

There is no more important question before the Federal Administration at this moment than to see that the enforcement of the labor provisions of these codes is handled wisely. The National Child Labor Committee has been giving much thought to this question and hopes to be able to offer constructive suggestions from time to time in the development of a sound administrative policy for making effective the labor provisions of the various industrial codes.

PERMANENCE

That these codes and agreements do not mean the complete and permanent
elimination of child labor abuses, must not be lost sight of. That such an attitude of complacent optimism is a real source of danger is evidenced daily by the expressions received by the National Child Labor Committee to the effect that child labor has at last been abolished. This impression is general, even among well-informed people, in spite of the fact that many thousands of children are still unprotected in commercialized forms of agriculture, in street trades, in domestic service and (for boys and girls 15 to 18 years) in dangerous occupations. Nor do many of these optimists seem to realize that the advances that have been gained or about to be gained are temporary, for the period of the emergency only. Unless child labor provisions in codes can be made permanent through legislation we are likely, when the emergency is over, and the codes are no longer in operation, to see a swing of the pendulum in the opposite direction, and to lose what we have gained, the very thing that happened when the federal child labor laws were declared unconstitutional. While we should work unremittingly for sound and progressive state legislation, to insure the permanence of these gains, it is clear that the only complete safeguard which we will have is the passage of the Federal Child Labor Amendment, which will enable Congress to make permanent the child labor protection accomplished through the temporary codes.