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MINIMUM WAGE

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MINIMUM WAGE.

Assembly Constitutional Amendment 90 adding section 17½ to article XX of constitution.

Authorizes legislature to provide for establishment of minimum wage for women and minors, and for comfort, health, safety and general welfare of any and all employees; declares that no constitutional provision shall be construed as limiting authority of legislature to confer upon any commission now or hereafter created such power as legislature deems requisite to accomplish provisions of this section.

Assembly Constitutional Amendment No. 90, a resolution to propose to the people of the State of California an amendment to the the Constitution of the State of California by adding to article XX, a new section to be numbered 17½ relating to the conditions of labor and welfare of employees.

The legislature of the State of California, at its regular session commencing on the sixth day of January, 1913, two thirds of the members elected to each of the two houses of the said legislature voting in favor thereof, hereby proposes an amendment to the Constitution of the State of California by adding to article XX thereof a new section to be numbered as 17½ to read as follows:

PROPOSED LAW.

Section 17½. The legislature may, by appropriate legislation, provide for the establishment of a minimum wage for women and minors and may provide for the comfort, health, safety and general welfare of any and all employees. No provision of this constitution shall be construed as a limitation upon the authority of the legislature to confer upon any commission now or hereafter created, such power and authority as the legislature may deem requisite to carry out the provisions of this section.

ARGUMENT IN FAVOR OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 90.

The legislature of 1913 passed an act creating an Industrial Welfare Commission, whose duties are to carefully investigate the wages paid, conditions of work, the hours, and general welfare of the working women and children of California. Following this investigation, the commission, after conferences with employers and employees, may determine and fix the minimum wage for women and minors in any industry or occupation in California. This minimum wage must be based upon the cost of proper living.

In 1911 bills were passed controlling the hours of women's and children's work, and it was obvious that the work was less than half done unless the other two minimum rules of industrial life were also made to protect this weakest and most helpless class: that is, that the safety and the sanitary conditions in which women worked should be controlled, and, what was more important, that they should be certain of a living wage—a wage that insures for them the necessary shelter, wholesome food and sufficient clothing. We know that the absence of this is the cause of ill health, lack of strength for a good motherhood, and frequently degeneracy and prostitution for the weakest. It has been shown many times by careful investigators that in the older and more populous industrial centers the long periods of non-employment in seasonal industries which pay small wages are always accompanied by a large influx of girls to the ranks of the prostitute because of actual want.

Our conditions in California are comparatively good, yet from the statistics of the Bureau of Labor we find that forty per cent of the women and girls employed in our great state to-day receive less than \$9.00 per week. This is much better than the older industrial states, but the fact remains that fully 15,000 women in this

state are receiving under that sum. Is \$4.00, \$5.00, \$6.00, \$7.00, or \$8.00 a week enough to provide a growing woman with proper living? The work of the Industrial Welfare Commission is to find out what proper living costs. What it really costs to house, feed and clothe a woman dependent upon herself in the different parts of California; to find out what are the actual conditions of her employment and to investigate into the health, safety and welfare of the workshops. When this investigation has been made, which must take place in this great state, the commission may determine the minimum wages, length of periods of apprenticeship, and hours of labor, not to exceed the limit prescribed by law, which is eight hours in some industries.

The most powerful reason for action at this time is to get the wage fixed before the opening of the Panama canal, when the great horde of cheap labor from southern Europe will come to lower the California standard of living and tend to bring the American and native born down to living conditions entirely foreign to us and to the California ideal of necessary comfort.

Many employers in California pay good wages and desire proper conditions for their employees, and many succeed in giving these conditions now, but less kindly employers undersell the better ones because they pay lower wages. These unfair employers will be compelled to come up to the standard set by the commission after its investigations, and thus be placed in a position where they will be on the same competitive basis as the employers who are to-day giving their employees proper living and working conditions.

With adequate food and comfortable housing, the workers will be more efficient and can give better value for the money received.

Interstate competition will not be a considerable factor, as Oregon and Washington have similar commissions, and are controlling their conditions of industry as in California.

The legislature also passed constitutional amendment to article XX, numbered section 17½, giving the legislature, or its delegated body, the commission, the right to fix minimum wages, and this is done to make sure that after the commission's work is done, its findings and rulings can not be assailed and made useless by the state courts declaring this act unconstitutional. To insure the women and minors of this state a living wage it is most necessary that the voters of California vote "Yes" on this amendment.

A similar law in Oregon has been sustained by the Oregon courts and is now before the United States supreme court. Louis D. Brandeis and Josephine Goldmark have presented the brief in support of this law. It is expected that the United States supreme court will hold as it has with the eight hour law—"legislation that is not in conflict with the federal constitution, but is an extension of the police power of the state." To be sure that nothing in our state constitution will prevent this great act of justice and mercy being done to protect the women of this state, vote "Yes" on Assembly Constitutional Amendment No. 90.

W. A. ROBERTS,
Assemblyman Sixty-first District.
Twenty-nine

ARGUMENT AGAINST ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 90.

First—There should be no legislation fixing a minimum wage for either women or minors.

Women are fitted to perform, without previous experience and study, but very few avocations.

In many cases a woman without experience is helpless, while if given time and an opportunity she readily becomes useful and a valuable worker.

To fix a wage arbitrarily, and say unless paid this sum she shall not be employed at all, takes from her the opportunity many times to any employment whatever and the help, encouragement and assistance of those employers who otherwise would give her a chance.

Second—There is as much difference in the capacity and ability of different women as of different men—either may be in such condition, mentally or physically, as to need great care and attention before they can adapt themselves to any kind or character of employment. These

people need especial care and well directed persevering effort to bring them to such condition that they are of any value as help. They therefore should be encouraged, not discouraged, their endeavors to be self-supporting, or at least partially so. A fixed minimum wage destroys all their opportunity.

Third—These same reasons apply to minors, with the additional reason that experience teaches us that children should be taught how to work, allowed to work, and encouraged to work, and permitted to work, regardless of the matter of any recompense whatever. Our cities are filled, our streets are lined with men who will not work, the great reason being because they were never taught how to work, nor encouraged in any work. To say that a child shall not work without a fixed pay deprives the child of opportunities which have always made the willing child of to-day the future leading man of our country. It is fundamentally wrong.

WILLIAM B. SHEARER,
Assemblyman First District.

ELECTION OF UNITED STATES SENATORS.

Assembly Constitutional Amendment 92 amending section 20 of article V of constitution.

Eliminates provisions of present section prohibiting governor from being elected United States senator during his term of office, and instead provides that such senators shall be elected by the people of the state in the manner provided by law.

Assembly Constitutional Amendment No. 92, a resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending section 20 of article V thereof, relating to the election of United States senators.

The legislature of the State of California at its regular session commencing on the sixth day of January, in the year one thousand nine hundred and thirteen, two thirds of all the members elected to each of the two houses of said legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California, the following amendment to the Constitution of the State of California so that section 20 of article V of said constitution shall read as follows:

PROPOSED LAW.

Section 20. United States senators shall be elected by the people of the state in the manner provided by law.

Section 20, article V, proposed to be amended, now reads as follows:

EXISTING LAW.

Section 20. The governor shall not, during his term of office, be elected a senator to the senate of the United States.

ARGUMENT IN FAVOR OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 92.

The object of the amendment is to make the Constitution of California conform to the Con-

stitution of the United States in its provision for the election of United States senator. The United States Constitution provides that the senate shall be the judge of the election, return and qualifications of its members. The present provision of the Constitution of California, providing that the governor shall not, during his term of office, be elected as senator to the senate of the United States, is, therefore, in conflict with the Constitution of the United States, and this conflict should be removed by the adoption of proposed amendment.

The reason for the provision in the state constitution, prohibiting the election of a governor of the state to the United States senate, no longer exists. When members of the United States senate were elected by the legislature, it might have been possible for the governor to use undue influence on the legislature to secure his own election to the United States senate, but now that members of the United States senate are elected by a direct vote of the people, there is no reason for any restrictions upon the right of the people to choose whom they see fit to fill the office.

L. D. BOHNETT,
Assemblyman Forty-fourth District.
WILLIAM B. BUSH,
Assemblyman Twenty-sixth District.

CALLING CONVENTION FOR REVISION OF CONSTITUTION.

Assembly Concurrent Resolution 17.

Recommends that electors vote for or against a convention for revising the constitution; provides that if majority vote in favor thereof, the legislature shall at next session provide for election of delegates to such convention and the holding thereof at state capitol within three months from date of election calling the same, and that it shall continue in session until it has completed the work of revision and provided for submission thereof to electors.

Assembly Concurrent Resolution No. 17, a resolution recommending the calling of a convention for the revision of the Constitution of the State of California, recommending that the electors of the state vote at the next general election for the calling of a convention to revise the constitution, and to provide the number and qualification, compensation, and manner of electing the delegates to such convention.

Resolved by the assembly, the senate concurring, That the legislature of the State of California, at its regular session, commencing on the

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sixth day of January, one thousand nine hundred and thirteen, two thirds of all the members elected to each house concurring, hereby recommend that the electors of the state vote at the next general election upon the proposition to call a convention to revise the state constitution, such proposition to read as follows:

Section 1. Two thirds of the members elect to each branch of the legislature for the thirtieth session of the legislature of the State of California, commencing on the sixth day of January, one thousand nine hundred and thirteen, do