

STATE OF NEW JERSEY

# DEPARTMENT OF LABOR AND INDUSTRY

PERCY A. MILLER, JR., Commissioner

# MERCANTILE ABSTRACT



## DEFINITIONS

"Mercantile establishments" are places where goods, wares or merchandise are offered for sale.

"Restaurant" is any place where meals or refreshments, both food and drink, are served to the public.

The Commissioner of Labor and his assistants have power to inspect all of the establishments above mentioned.

## EMPLOYMENT OF FEMALES 18 YEARS OF AGE AND OVER

No female shall be employed or permitted to work in any mercantile establishment or restaurant more than ten hours in any one day or more than six days, or fifty-four hours in any one week. R.S. 34:2-24. Penalty for violation, fine of not more than fifty dollars for the first offense, and not more than two hundred dollars for the second offense. R.S. 34:2-27.

## TIME RECORD

Every employer of one or more females shall keep a record of the hours worked by such employee in a proper book prepared for that purpose. This book shall be open to the inspection of the department as required. R.S. 34:2-26. Penalty for violation, fine of not more than fifty dollars for the first offense, and not more than two hundred dollars for the second offense. R.S. 34:2-27.

## MINIMUM FAIR WAGE STANDARDS

Mandatory orders No. 6 governing restaurant occupations and No. 8 governing retail trade occupations require that time records in these occupations show the starting and stopping time of each work period including meal periods.

## POSTING OF ABSTRACT OF LAW

Every employer shall post an abstract of law pertaining to employment of female labor and keep it posted, in plain view, in such place that it can be easily read by the employees or operatives in going into or coming out of the establishment or place of business. R.S. 34:2-26. Penalty for violation, fine of not more than fifty dollars for the first offense, and not more than two hundred dollars for the second offense. R.S. 34:2-27.

## WORKMEN'S COMPENSATION INSURANCE

Every employer of one or more persons must carry workmen's compensation insurance. Penalty for failure to do so—Fine of not more than five hundred dollars (\$500.00). Notice of compensation insurance coverage must be kept posted in a conspicuous place.

## PROTECTION OF EMPLOYEES

Openings of all hoistways, hatchways, elevators and well-holes on every floor of any mercantile establishment shall be protected by good and sufficient trapdoors or self-closing hatches and safety catches, or strong guard rails at least three feet high, and shall be kept closed and protected at all times except when in actual use by the occupant of the building having the use and control of the same. R.S. 34:2-31. Penalty for violation, \$50.00. R.S. 34:2-35.

## VENTILATION

Every mercantile establishment shall be provided with proper and sufficient means of ventilation. Any owner, agent, lessee or employer failing to provide suitable ventilation within twenty days after service upon him of a written order signed by the Commissioner so to do, shall be subject to a penalty of ten dollars for each day if such failure continues after the expiration of the time given by such order to make the change. R.S. 34:2-32.

## SANITATION

Every mercantile establishment shall maintain sufficient, suitable, clean, convenient and separate water-closets for each sex which shall be properly screened and ventilated. The water-closets for women shall have separate approaches. A suitable and convenient wash room shall be provided if ordered by the Commissioner. A dressing room shall be provided for female employees when the Commissioner shall so order. R.S. 34:2-33. Penalty for violation \$50.00. R.S. 34:2-35.

## SEATS FOR FEMALES

Every employer of one or more females in any manufacturing, mechanical or mercantile establishment or in the services and operations incident to any commercial employment shall provide and maintain suitable seats conveniently situated and shall permit the use of such seats by female employees at all times except when necessarily engaged in the discharge of duties that cannot properly be performed in a sitting position. R.S. 34:2-29.

The Commissioner shall see that the provisions of section 34:2-29 of this title are carried out in all mercantile establishments, and he shall, at reasonable intervals, examine and inspect all such mercantile establishments to see that the seats required to be provided by said section 34:2-29 are fully maintained and that female employees are permitted to use them freely and without hindrance. R.S. 34:2-30.

Any individual, firm or corporation owning or managing an establishment of the kind mentioned in section 34:2-29 of this title, who shall fail to comply with the requirements of said section 34:2-29 within ten days after the date on which notice to do so has been served by the Commissioner or one of his deputies shall be liable to a penalty of twenty-five dollars for each offense, and a failure to comply within the period of ten days, with such repetition of such notice as may be necessary, shall each constitute a separate offense. R.S. 34:2-30.1.

NOTE: For complete laws relating to employment of females in mercantile establishments see Chapter 2, Article 1, Title 34, Revised Statutes.

## EMPLOYMENT OF MINORS UNDER 18 YEARS OF AGE

Minors under 14 years of age may not be employed. Minors between 14 and 16 years of age may be employed only when school is not in session.

Employment certificates are required for the employment of all minors between 14 and 18 years of age.

Before employing any minor under 18 years of age, obtain an abstract of the Child Labor Laws from the Women and Children Section of the Bureau of Engineering and Safety. The abstract sets forth the legal hours of work for minors.

For complete laws relating to employment of minors see Chapter 153, P.L. 1940, as amended by Chapter 139, P.L. 1941.

All persons are cautioned against mutilating or removing this notice under penalty of law.

**THIS NOTICE IS TO BE POSTED IN A CONSPICUOUS PLACE.**

DIVISION OF LABOR  
BUREAU OF ENGINEERING AND SAFETY  
Trenton, N. J.

PERCY A. MILLER, JR., Commissioner.