

P U B L I C   H E A R I N G  
before  
CHILD LABOR LAWS STUDY COMMISSION

Held:  
April 13, 1971  
Assembly Chamber  
State House  
Trenton, New Jersey

MEMBERS OF COMMISSION PRESENT:

Assemblyman Peter J. McDonough (Chairman)  
Assemblyman Martin E. Kravarik  
Assemblywoman Millicent H. Fenwick  
Dr. Waymah Barber  
Mrs. Eileen DeHaut  
John Siergej  
Richard D. Chumney  
Joseph Zach  
William J. Clark

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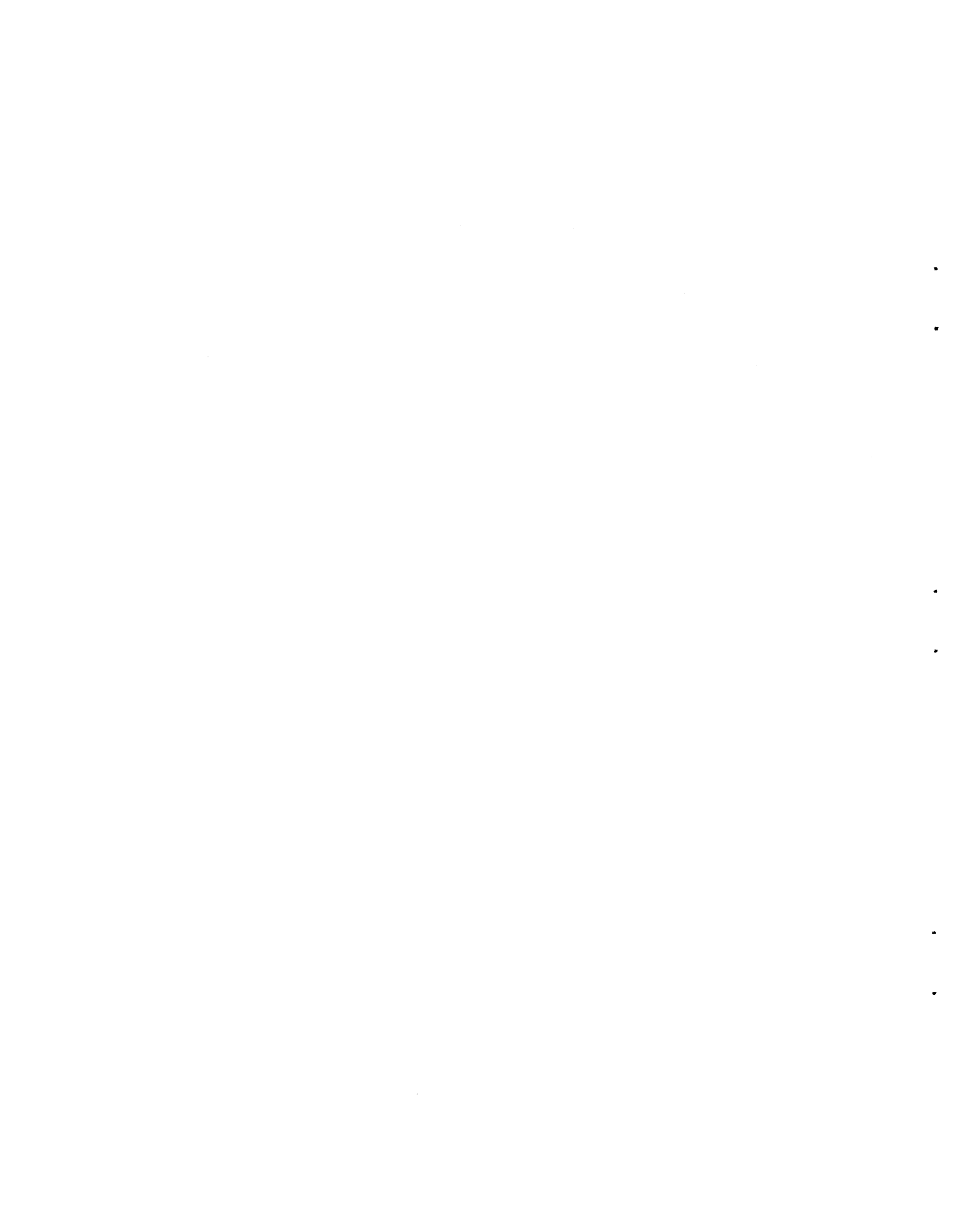
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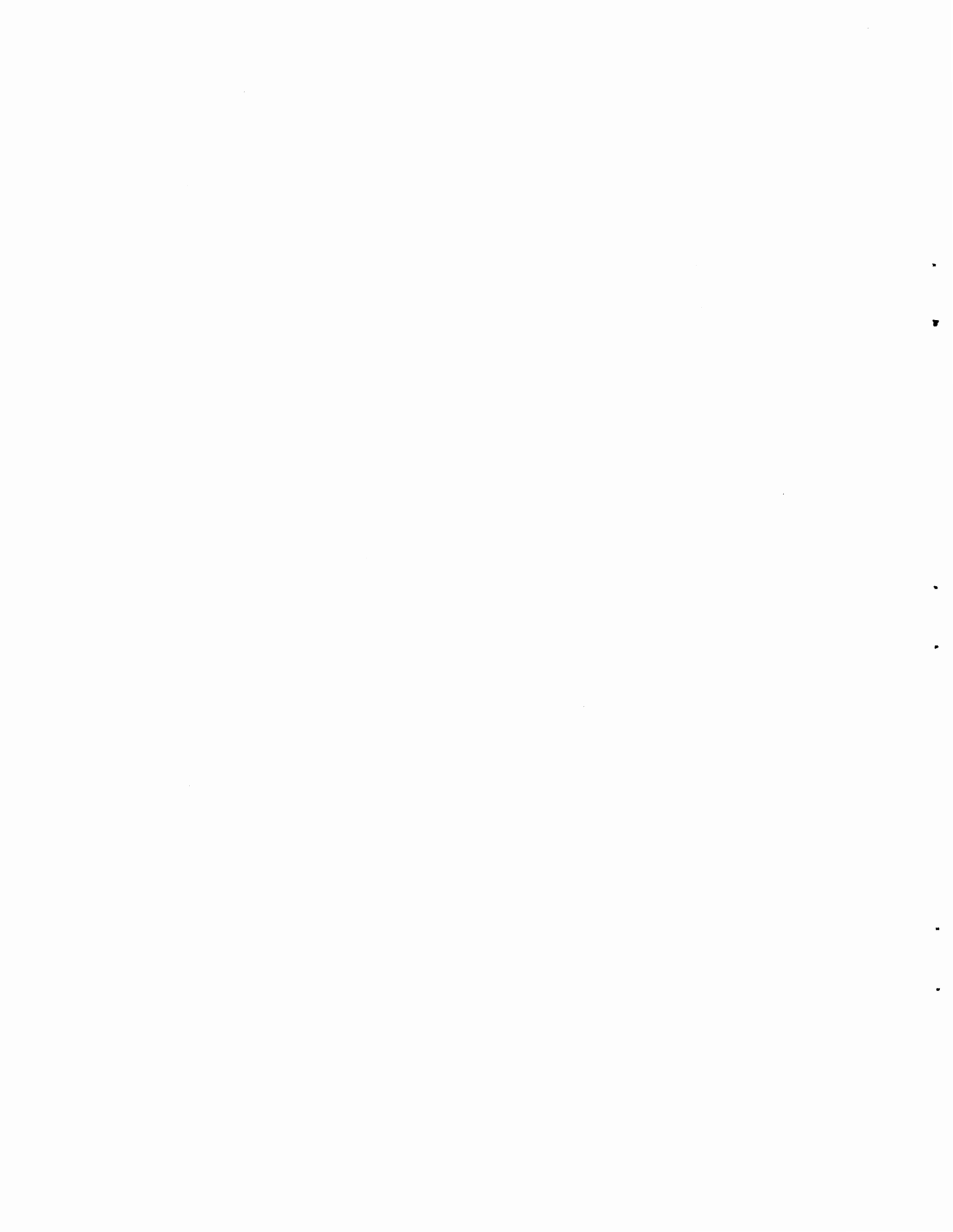
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ASSEMBLYMAN PETER J. McDONOUGH (Chairman): Good morning. If everybody will be seated, we can get our public hearing underway.

For the benefit of any of you who might be unaware of what is going on today, this is a public hearing of the Joint Committee to Study Child Labor Laws which, as a matter of fact, was brought about by Assembly Joint Resolution No. 4.

I will introduce to you the people at the head table who are members of the Committee here today. To my left is Richard Chumney from the Department of Agriculture; next to him is Assemblywoman Fenwick who, as a matter of fact, is new to our Committee although not new to the problem; to my right is John Siergej, Placement Director of the Plainfield Public Schools; further to my right, Dr. Barber from the Children's Home Society of New Jersey, appointed by the Governor; to her right, Mrs. De Haut, who is an official of the Glass Blowers Union, and also a gubernatorial appointment to this committee; and I am Peter McDonough, Assemblyman from Union County, who chairs this Committee.

So that we put ourselves in the right frame of mind to start this hearing today, let me give you a little bit of what the Committee hopes to learn today; first, by telling you that our minds are not closed, we are not fixed in position as to how we are going to move, and the fact that we do not have a full committee here is not important, the important part is that we have a full representation of the public here to speak on this law.

We set this Commission hearing at this time in hopes that we would have some youngsters from the schools and youngsters who are most affected by this law here to testify, as well as the people from the school administration, those of you from industry and those of you from labor.

We tried as best we could to notify everybody through the newspapers, through direct mail, and so forth, to get

out to you the fact that we would be having a hearing.

We have no one specific area that we're trying to hear on today. We're trying to hear on the Child Labor Laws generally, whether or not certificate requirements are antiquated, whether they need improvement, whether the number of hours of work per day where the work in conjunction with school is being overdone or is being underdone, shall we say, and whether the prohibitive areas should be reviewed and whether definitions of the prohibitive areas should be reviewed. We are working on a law that while it is not real old, as far as the State of New Jersey is concerned, it has very few changes. So we would have to say that basically it probably was an excellent law, but times have changed too.

We in the Commission have studied a plan that is now being worked out in Maryland, which is a computerized system of controlling child labor in that state and as far as we know, from what we hear, it has worked out fairly well.

I would like now to open the hearing to the people who first requested to be heard early today, and I would like to know if Mrs. Stovekin is here.

Let me just give you a few of the ground rules for these hearings. First, you will direct your entire remarks to the Chair. If you have a written statement that you would like to present to the press and to the Commission, it would certainly be welcome.

There will be a printed booklet come out on this hearing. All the minutes of this hearing will be open to the public, once the hearing is over, and the girls in the Department have time enough to get this out.

If there is anybody else who would like to be heard who has not yet registered, we have a yellow pad up here and I will give it to Mr. Moore who is sitting in my chair, as a matter of fact, and you can register with him.

I would say this too, that this hearing will have to come to a close today at 2:30. There are 20 people to speak so, while I don't want to say to you keep it short, keep it as effective as possible and, secondly, then short. If we must go on into another hearing, we will have to go on another day because two or three of our members have to keep other appointments after 2:30.

So, Mrs. Stovekin who is Past President of the New Jersey Association for YES.

E V E L Y N     S T O V E K I N: Mr. Chairman, YES, as most everybody knows but I will repeat quickly for those who do not know, is a non-profit, no-fee, volunteer agency; it's purpose is primarily to find part-time jobs for students between the ages of, say, 14 and 21 years of age. This may vary according to the local group. Also, our object is to educate as well.

I have served in YES for a total of seven years to date, in the capacity of Office Chairman, three years as Local Chairman, and two years as State President. During the course of my reign, I have found people are most confused by the Child Labor Laws and this is the thing that scares them. Students may lose jobs, quite a few of them, because people are afraid of the Child Labor Laws. This is primarily the domestic help. And, of course, students with part time jobs, a lot of the jobs that they do get are for the homeowner.

Now, we do not want to go into changing all the occupational hazards. We recognize that and we do not want them to be working in occupations that would be detrimental to them. We don't want to spend so many hours that they will be losing, you know, what they're going to school for. We don't want the work to affect their education.

However, the main point that we have found is the working papers, the method of obtaining working papers now and the need to have working papers for every single job. It's just unbearable. We find that people are violating

the law unknowingly because they do not realize that they have to have working papers for each one. And there have been cases where people have been penalized because of this.

I think perhaps if we could make this a big change in the Child Labor Laws to have one certificate that would take care of that student all the time that he needs working papers, this would be a big factor. And I do not think this would cause any more violations of the law. Even now, it has been called to my attention that people who hire students, this is business people who hire students, will violate the law on several counts even though the student has working papers. And perhaps if we're not involved in the red tape of getting working papers, there might be more time for the enforcement officers to see to it that there are fewer violations of the Child Labor Law.

I would be willing to answer any questions that you may have.

ASSEMBLYMAN McDONOUGH: Mrs. Stovekin, thank you very much. May I first, before we get into any questions, commend you for the service that you do. I worked with the YES in Plainfield and Union County for several years and thank goodness we have people like you, and thank goodness we have your kind of committee that will do this.

Now, are there any questions from members of the Commission?

ASSEMBLYWOMAN FENWICK: Yes, I would like to ask Mrs. Stovekin, about how many applications do you get? How large? Is it growing, the pressure for jobs from young people?

MRS. STOVEKIN: Yes, it is.

ASSEMBLYMAN FENWICK: It is.

MRS. STOVEKIN: Yes, it is. And, of course, now we are affected by the economy, just as everyone else is. But there are always jobs around the house. And these are students who can't go to the Unemployment Service. They

don't handle them that young. Of course, we try to get the children to understand that this may lead to other things and it often does.

ASSEMBLYWOMAN FENWICK: In your opinion, Mrs. Stovekin, how young a child do you think ought to be able to do chores around, as you say, a home, where they are mostly employed? What age would you put that at?

MRS. STOVEKIN: I think the 14 year level is fine. There are some, of course, who could do it under 14 but I think 14 is time enough to assume responsibility outside the home.

ASSEMBLYWOMAN FENWICK: And would this apply to girls as well as to boys?

MRS. STOVEKIN: Yes, I think so.

ASSEMBLYWOMAN FENWICK: Do most of your requests come from the children themselves or from parents anxious to find work for their children?

MRS. STOVEKIN: It comes from the students themselves.

ASSEMBLYWOMAN FENWICK: Thank you.

ASSEMBLYMAN McDONOUGH: Mrs. Stovekin, you mentioned earlier that there was a lack of knowledge of the Child Labor Laws. Do you feel the lack is by the industry?

MRS. STOVEKIN: I would say people in general don't even realize - I would say industry would be cognizant of it but the homeowners and the small business people are the people who are lacking in knowledge.

ASSEMBLYMAN McDONOUGH: Do you feel that industry is reticent because they don't know the law and that they might hire more if they were knowledgeable, knowing that they were protected but, rather than that, they would just throw their hands up and say "I don't want to even get near you." You know.

MRS. STOVEKIN: Well, here again, I think if they realized it was less complicated, they would be more willing. However, we do run into insurance problems too.

ASSEMBLYMAN McDONOUGH: Do you find that the youngsters have a lack of knowledge of the Child Labor Laws?

MRS. STOVEKIN: Yes. Unless they get involved in YES, and we do spread the word.

ASSEMBLYMAN McDONOUGH: Do you think a greater effort might be made by the Department of Education in the form of curriculum, teaching the Labor Laws, because this is a very important part of life, 14 through 18, and I think maybe in this area if schools would dedicate, like they do to Problems of American Democracy, some portion of the school program to learning what they are allowed to do, and so forth?

MRS. STOVEKIN: Mr. Chairman, I think this would be most helpful because this affects students themselves, and I think they would be on the ground level of how our democracy works if they would get this at their own level.

ASSEMBLYMAN McDONOUGH: Finally, let me ask you, do you find any lack of knowledge with the school administrators?

MRS. STOVEKIN: A little bit, yes. In fact, there have been some cases where YES has been instrumental in, shall we say, educating the enforcement officer in the school who issues working papers.

ASSEMBLYWOMAN FENWICK: Could you tell me, you say you have insurance problems, are those insurance problems caused by the complications of the law? Is that what is making part of that insurance problem?

MRS. STOVEKIN: I would not feel knowledgeable enough to say that was one of the reasons, except in our own particular cases, of which I can speak freely, we tell the employer if their insurance agent tells them not to employ a student under 18 to use a gasoline mower then we tell them to go by what their insurance company says. But this is what I'm thinking of when I mentioned insurance complications.

ASSEMBLYWOMAN FENWICK: Thank you very much.

MRS. STOVEKIN: You're welcome.

MR. SIERGEJ: I think this insurance thing is probably one of the most conflicting things that our young people have to deal with. People think in New Jersey that you have a homeowner's policy to cover everything, that it covers everything. That is absolutely not true. New Jersey is one of, I think, three states where if you have to use anyone inside or outside of your home, other than a contracted person who is carrying his own insurance, you must carry a separate insurance policy. I don't know what it costs now but I think you can get something for three years for about \$27 or \$28.

However, I've had insurance people themselves conflict in their thinking about this. So this is something that we've got to really get straightened out in the eyes of the law. If the Labor Law says this, the insurance companies have to be told, you've got to conform with what the Labor Law states. And this has to be very definitely brought out to the public because this is an area where very few people know, they hire them for lawn work, baby-sitting, whatever else, I don't care what you hire them for, you are liable. If you don't have the insurance involved, you are definitely liable. There have been cases where there were suits involved because people had been hurt.

ASSEMBLYWOMAN FENWICK: How many states have that?

MR. SIERGEJ: I think all the states but about three.

ASSEMBLYWOMAN FENWICK: New Jersey is one of the three?

MR. SIERGEJ: New Jersey is one of the three.

ASSEMBLYWOMAN FENWICK: Well, maybe that's what we ought to change.

ASSEMBLYMAN McDONOUGH: Let me make a statement here to ask everybody who is speaking to speak into a microphone.

Dr. Barber, do you have any questions?

DR. BARBER: No, not at the time.

MR. CHUMNEY: Mrs. Stovekin, you mentioned the problem of red tape, unnecessary red tape in the issuing of the working papers and perhaps advisability of one uniform type of certificate. Could you elaborate a little bit more on this red tape problem as you see it, in terms of the problems it's causing?

MRS. STOVEKIN: As we see it in Youth Employment Service, for every single job the student has that is not just, as we call it, a one-shot or casual type of employment, he must have working papers. If a boy has a job doing lawns for three people in a neighborhood on a regular basis, this means he has to have three working papers.

ASSEMBLYWOMAN FENWICK: Ridiculous, isn't it.

MRS. STOVEKIN: This we found is ridiculous, Mrs. Fenwick, and that's why we are trying to encourage the State to change it. One working paper would suffice, one certificate. And, of course, we recognize the fact and appreciate the fact, and realize that it's most necessary that that one certificate could be taken from the student if his work falls down in school. We think work at school comes first, and his health. And if the parent or the school feels that the child is hurting himself by working after school hours, then we agree definitely that this should be taken from him until he does do better.

MR. CHUMNEY: In your experience, what has been the average length of time from the point at which the young person applies for working papers and actually obtains them and has the privilege to go to work, on an average?

MRS. STOVEKIN: On the average it's a little hard to judge because the issuing officer in the school generally has control of this. In some cases they can get them right away and in some cases they have to wait a couple of weeks for them.

ASSEMBLYWOMAN FENWICK: Three months a boy in my town waited.

MRS. STOVEKIN: Three months? That's ridiculous.

ASSEMBLYMAN McDONOUGH: Are there any other questions?  
(No questions)

Mrs. Stovekin, I want to thank you very much. And I would like you to read your address into the record so that in case we want to get back to you at some time, we will have it. Where can we contact you?

MRS. STOVEKIN: I am Mrs. F. R. Stovekin and my address is 1947 Duncan Drive, Scotch Plains, 07076.

ASSEMBLYMAN McDONOUGH: Thank you very much.

MRS. STOVEKIN: You're very welcome.

ASSEMBLYMAN McDONOUGH: I will ask all speakers from here on to read their own name and address into the record so that, again, as I say, if we want to contact you, we will have that opportunity.

I would like to introduce at the head table Assemblyman Kravarik from Middlesex County; and a representative of the Department of Labor, former Assemblyman Herb Heilmann; and in the back is Bill Clark who also represents the Department of Labor.

I would like to call on now, Mrs. Ruotolo, Chairman, Youth Employment, Consumers League of New Jersey.  
A L I C E S. R U O T O L O: My name is Alice S. Ruotolo. I am Vice President of the Consumers League of New Jersey and Chairman of its Youth Employment Committee.

As an indication of my personal interest in child labor, my educational background and experience with youth employment may be of interest to you.

I have had over 30 years of experience in the public schools of Connecticut, New York and New Jersey, as teacher and guidance counselor.

Almost 20 of these years were spent as placement counselor on the central office staff of the Superintendent of Newark schools. My work has been to survey Essex County employers for opportunities in part-time employment for students, and to direct these jobs to counselors in the various high schools in the city. Dropouts and graduates came directly to me for assistance in placement in full time jobs.

As to my education: I have a B.S., M.A. and have completed credits for Ph. D. degrees. While studying at Columbia for my bachelors degree (in 1939) in guidance and personnel work, I was privileged to do my field work in the Essex County Junior Employment Service.

In the morning under the supervision of experienced placement officers, I interviewed teen-age applicants for employment. I spent the afternoons seeking economic opportunities for them through interviews with personnel officers in factories, banks, retail stores, lofts, diners, restaurants, blue print companies, drug stores, New Jersey Bell Telephone, Public Service, Prudential, American, Mutual Benefit, and Fireman's Insurance Companies, as well as libraries, hospitals, greenhouses and nurseries, several farms in Essex County, and many small business agencies. These experiences were most valuable when I later sought openings for youth in Newark schools.

I was chairman of the Essex County Committee for Economic Opportunities for youth, and represented it at the White House Conference in 1960. This committee studied employment opportunities in great depth, made broad surveys over a period of six months, and held frequent discussion meetings. Some of its members were personnel officers from local industries and had first hand experience to draw upon. We found a concensus of opinion that the Child Labor Law was not the reason for the limited employment opportunities for minors under 18 in manufacturing. The real reason was that many employers were convinced by experience that employees under 18 years of age, although legally employed, were more likely to be involved in accidents than more mature workers, and would affect the employer's insurance costs.

Today I represent the Consumers League.

We have examined the bills numbered A.107, A.108, A.109 and A.110 now before the Legislature and discussed them with many others who are deeply concerned with the health, education and welfare of youth.

The Consumers League has followed the Child Labor Law ever since it was written in 1940. We have seen it kept up to date as conditions changed, by the wise use of the administrator's authority to interpret the law, to add to the small list of very hazardous employments prohibited for minors under 18 and to remove other employments from that list as new safeguards reduce the risks involved, making them reasonably safe for 16 year olds and in some instances, still younger workers.

For example, in 1958, after conferences with leading farm organizations, the late Carl Holderman, then Commissioner of Labor and Industry, redefined the term "power driven machinery" to exclude most standard office and domestic-type machines, and also poultry feeders, egg graders, washers and coolers and milking machines. That made it legal for children under 16 employed on farms to operate such machines. The Commissioner also raised from 16 to 18 the minimum age for employment with three kinds of very hazardous farm machinery, corn pickers, haybalers and field choppers. That put those machines on the hazardous list, as the Farm Bureau had recommended.

Other examples of good administrative regulations are included in the present law. (See blue Labor Law booklet insert and abstract) Senator Sciro's recent bill permitting vocational school graduates to be employed in hazardous occupations for which they had completed training is a good example of adaptability. Good amendments can help, too, and we were particularly pleased when Senator Sciro amended his bill to include employment certification so that these young well-trained youth could be employed even in hazardous occupations as soon as they were graduated from High School.

Other examples could be cited of the ways this law has been kept up to date so successfully that today it meets most of the basic standards of such laws recommended by the Bureau of Labor standards and other standard setting agencies.

No law is perfect but our first recommendation to the Commission is that you build on its strength and strengthen its weak spots.

The heart of the law is the employment certification system through which it is enforced and administered. In this respect we think the regular and vacation employment certificates now used in most occupations are basically the best and incidentally the most economical method anyone has devised. We are aware of the criticism you have heard of it but we also find that many people who use it consider it so good that as one employer said "Why should anyone want to change a system that works so well." At least part of the criticism of it appears to be the result of misunderstandings which could be cleared up. However, we find nothing in any of the criticism to justify discarding that system and we urge the commission to preserve it and extend its use.

The other forms of certification, the so-called special permits issued to children employed in agriculture and some street trades, have proved less effective as protection to the child and the employer and less economical for administration. We are aware of the difficulty of using employment certificates in these occupations but suggest that the Commission explore the possibility of using the certificate to replace permits wherever possible.

Children in Agriculture. The recent report of the Friends Service Committee of shocking conditions revealed in their survey of four states naturally leads to inquiries about conditions in our state. Here we think New Jersey has made a good start through our child labor and school attendance laws, special legislation for migrants and the recent Workmens Compensation amendment making insurance compulsory for all farm workers. They still have less protection than other children and there are several improvements that we recommend for your attention.

First, the 10 hour day and 60 hour week for children from 12 up is surely hard to justify, especially now that modern farmers keep the records needed to enforce shorter hours. We suggest a maximum of not more than eight hours a day and 40 a week as in most other occupations, and no employment away from home permitted under age 14.

Two of the best features of the law are the 16 year minimum for work with tractors and other power-driven machines and the 18 year minimum for work with certain of the most hazardous farm machines. It would be more useful if employment certificates were required up to age 18, instead of stopping at 16 as they do now. Without this provision in the law, a farmer might inadvertently let a 16 year old work with one of the machines on the hazardous list. An employment certificate would protect the employer from such unintentional violation as it does in other occupations.

In street trades, the only other occupation where special permits are still used, the possibility of replacing some of them with employment certificates might be explored.

Restaurants. The recent amendment permitting boys and girls as young as sixteen to work until midnight in restaurants where liquor is served has led to many complaints of children working even later. We recommend its repeal.

#### I.D. Card system

The proposed I D card system would open the way to serious abuses. While we realize it is not the intent, it appears to be quite inadequate to protect young workers, nor does it encourage employers to hire them. The Maryland experiment is so new that it offers no precedent. There has been insufficient time to test it in the courts in case of injury or illegal employment.

Nothing in the I D system is comparable to the present employment certification which is both economical and effective. It prevents harmful employment before it starts. The I D seems to rely on punishment after the illegal employment has begun. It would make enforcement of the law very difficult and costly.

#### The present Employment Certification

The present procedure for employment certification seems to be misunderstood or misinterpreted. Factually, it is a simple process and far from cumbersome when directives are carried out correctly.

I have with me today an exhibit that I would like to show to this organization, if you will be patient for a minute. Now, I don't know whether you can see it from there but I can talk from in front. This is the process as we have it now.

The child takes his birth certificate to the issuing officer. Now, the birth certificate is not the only proof of age. There are several others. If he doesn't have a birth certificate that is no reason for holding up his employment certificate. He may have many things, all sorts of legal documents, not photostats, not affidavits, but he would have to have a passport, an insurance which is over a year old or something that is definitely a legal document.

In this day and age very few children go into the public schools in Newark without a birth certificate. They are going to need it, I assure you, need some sort of proof that he's alive when he gets his driver's license. He'll need it for the draft, he'll need it to get married, he'll need it to die. He takes that birth certificate and goes down to the issuing officer with the forms which he now can get in school.

The first one in the City of Newark is the parent's permission. The parent's application. This is not absolutely necessary. Some states do not do it and some do. Some communities in the State of New Jersey do not do it either.

The second one is a statement from the principal. This is to certify that this boy, in giving his birth date, has completed the work of whatever grade. He signs it. Then he also says: "To the best of my knowledge the minor can do the work proposed without impairment to his or her progress."

In the summertime, the child doesn't need this. So, those are two that are not absolutely needed.

The third one is the promise of employment. This does not have to be on this form. It could be on a brown paper bag, if necessary. Bambergers and Prudential have always had their own forms. They don't have to have that. So, in the summertime, you see, the child wouldn't need these two, nor would he need this. He could go directly to the factory or the employer.

This one is necessary, the health certificate. Most children in our schools in Newark are examined every year. That is a record within the school office. In Newark they have an issuing officer, where we also have a doctor that will examine the children free. But the children can get this in their own schools at any time, not the day before they get the job. So, in reality, now he has these four documents and his birth certificate. He goes into the issuing officer, all in one day, and he signs three copies - there is no reason why he shouldn't do it all in one day, he's in school, he gets this one from his principal, he gets all these forms in his school, so that the only place he has to go is to an employer.

If I were 16 today and wanted a job and never had a job before, I would take my birth certificate, I would get my employer - this is the summertime - I'd get my medical, and that's all.

Then, while he's there, and again in the presence of the issuing officer, he signs three copies of his employment certificate. One is mailed directly to the employer. And the minute he gets that, the child can go to work.

In many instances - as I say, I have been in this section of Newark for years, and sometimes the child comes in this afternoon and tomorrow afternoon he goes to work.

Another copy is left in the school, the issuing officer, the local board of education. The other one is sent down to the Department of Labor. If they find an error,

they immediately get the child off.

Last night, I talked to an issuing officer of 20 or 30 years experience in Newark. I asked him how many times he had things rejected and he said, "about twice" because they're very careful; the issuing officers are trained, experienced staff and they certainly make very, very few mistakes.

Now let's turn to the ID card. A child of 12 makes out his own application - this is in Maryland, it has been in operation only a few months, - I talked to Dana Johnson down there and he said it was working out pretty well but they haven't spread it very far. I talked to two employers in Baltimore and they said - one was a man, insurance director, and I said: "How is it working out in your office?" He said, "I don't know, I'll have to ask my secretary, she does it." That's not the spirit of the law. It's the employer, not his secretary, somebody who isn't trained.

So this child has this little paper of instructions. He then has to fill this out, thin paper, carbon paper, and please don't spindle the hard paper because it's going to be computerized. On that one piece of paper, he has his name, his address, his parents, the school he goes to, the health record, and his social security number, and that sort of thing.

Now a child of 12 will make many mistakes with that. Those of us who teach school know that. In Baltimore they have one class in 7th grade social studies and they fill them out there automatically. However, not every child is 12 years old in the 7th grade, and that would be another very difficult piece of manipulation.

In the summertime, that child, 12 years old, would have to do that himself. There are many errors. Mr. Johnson told me that. For this reason, they have a corrective. This little slip at the end. That's sent back to the child, you've made a mistake in your social security or you forgot

your health record, or whatever. This going back and forth takes a long time.

Now, you see the yellow card there. This is what they use in Baltimore. This Commission probably knows all about it but maybe the other people don't. This has the child's birth date, social security number. Nobody witnesses his signature on it. It comes to him through the mail, either at his home, if it's summertime, or at the school. It should be processed in a few hours but we're not sure. However, that signature is not valid. Nobody has witnessed it. The back carries instructions in very small print, a warning to employers and a warning to the permit holder. If this child is hired illegally, if he works illegally, he has been hired illegally. If he works illegally, this card may be revoked and he won't be able to work until he's 18. If he loses it, if another person steals it, if he borrows it, it's going to cost that child \$2.00. Between the ages of 12 and 18 there may be a great many \$2.00.

Now, the other four documents there - this is what the employer fills out. He has 48 hours after the child comes to work for him before he fills this out. In 48 hours, I don't know if the law covers protection for that child. I am not an expert on that. I don't know. However, this is done in quadruplet.

I spoke to two or three people that I know in my neighborhood - one of them is a delicatessen store man, and he said, "I couldn't make that out." He said, "I can't do anything but sign my own name. My wife makes out all my documents and my son makes up my income tax." So we would have a great many employers who would not be able to manage this at all. And, of course, very few small businesses have typewriters. So this would have to be done by hand.

ASSEMBLYMAN McDONOUGH: On the promise of employment, do these same people fill that out?

MRS. RUOTOLO: Say that again?

ASSEMBLYMAN McDONOUGH: On the promise of employment --

MRS. RUOTOLO: Yes, it's very simple.

ASSEMBLYMAN McDONOUGH: Does the same fellow fill that out?

MRS. RUOTOLO: Yes. It's very simple. I intend to employ this minor. Now, the boy may write in his own name and the type of industry - the boy may do that. Then the man signs his signature. The rest of it, his wages and hours, he certainly can put a check before hours and he certainly can do the figures. We have never had any complaint in Newark about people that couldn't fill out the promise of employment.

ASSEMBLYMAN McDONOUGH: Well, is this promise of employment that much more difficult than this one?

MRS. RUOTOLO: Oh, very. In the first place, it's in extremely small print and it's done in triplicate - I'll take that back, it's done in quadruplet, in four pieces, and it is not sent to the Department of Labor. This is sent to the Department of Education. The Department of Education does not enforce the law. In Baltimore, they send it to the Department of Labor directly, not to the Department of Education.

These forms here are things that the employer might have to do. You've made a mistake. It's sent back to him. Here there is another mistake, you gave him illegal work - it's sent back to him. So he has four little documents. Every employer would have that, he would be subjected to that.

ASSEMBLYWOMAN FENWICK: If he made a mistake.

MRS. RUOTOLO: If he made a mistake, yes.

ASSEMBLYWOMAN FENWICK: Well, what happens if ours make a mistake?

MRS. RUOTOLO: Well, because it's done personally and it's done in the issuing office, it is captured immediately. It doesn't have to go to Trenton and back

again.

I spoke to Mr. O'Toole last night. I said, "What about these promises of employment?" He said, "We often hold them up if they're not made out right. We often do."

I have a school nurse with me today too and she said very often we hold up this medical report too. If a boy comes in, for instance, with immediate need for dental work, they do not give him a certificate, if it's serious. Also, if he needs glasses. They don't put him out to work without his glasses. That might hold up somebody for three or four weeks.

ASSEMBLYWOMAN FENWICK: What is an issuing officer? You keep saying that.

MRS. RUOTOLO: An issuing officer is a person to whom the Superintendent of Schools has delegated his authority in a central place in every community. In Newark, it's in the Board of Education, downtown; in Glen Ridge, it's in the High School; in smaller communities it's in the high school.

ASSEMBLYMAN FENWICK: In the summer too?

MRS. RUOTOLO: In summer, yes. I asked at the Board of Education and they told me that out of the 600 school districts in the State of New Jersey they knew of no district that did not keep an office open during the summer for business and therefore, if that community wanted to shorten this business - and I am all for shortening it - don't misunderstand me - my work is to get jobs for youngsters and I am very much in sympathy with them -- if that particular community is being held up, then the question should be solved there but don't change the law that works right. It isn't the law that's at fault, it's the machinery that's set up. All it needs is a little oiling. It's the personnel involved in getting those employment papers out.

Now, I have had two or three criticisms. It takes a boy three weeks, four weeks, a month. There is some very good reason why that is held up, a very good reason. Sometimes it's health; sometimes they have to inquire into this employment, the employer too. They have had trouble with him before and they're not going to send another child to him. So there are reasonable, logical reasons why the paper might be held up for a while. It's nothing to get excited about because most children can get them within 24 hours.

Another thing I would like to bring up here is the fiscal report attached to 110. The system as we have it now, if it is changed to an ID card, this little card, instead of what goes out to the employer before he's hired, it's going to cost the State of New Jersey, the first year, \$309,000. The succeeding years it's a little bit less.

Now the breakdown of that fiscal report, I notice, has \$96,000 for a computer. That's rental and that would be annually. This is a big burden to put on the State of New Jersey right now.

I noticed the other night, the Department of Education has the biggest budget among all of our departments in the State.

So I said, actually it's a simple problem, it's far from cumbersome, when the directives are carried out. Now, if the directives are not carried out, that's something that should be solved. There is a question there in some communities, the community itself should clear it up.

Uniform directives from the Department of Education to Superintendents in all 600 school districts of the State need uniform interpretation in each community. This would eliminate the frustration some youth experience and also eliminate the delay for the employer.

It is not the Child Labor Law but its interpretation and implementation which need attention. No child should

have to wait three weeks in one community while in the next community the whole process can be accomplished in less than 48 hours.

Thank you for your attention. The Consumers League has already offered and continues to offer to this Commission the benefit of our long experience and our extensive records in the field of the Child Labor Law of New Jersey.

ASSEMBLYMAN McDONOUGH: Mrs. Ruotolo, thank you very much for obviously a well thought out statement. I would like, however, to ask a couple of questions.

In the first place, the fiscal note of \$309,000, as far as I know, is accurate. The only thing that this does not show is the relief at the local level, issuing officers, employees, and so forth, which - as a matter of fact, there is quite a severe violation in this area. The law reads that the issuing officer means the superintendent of schools, supervising principal or teacher. Many of these are now being issued by a secretary. So there is a pretty severe violation in that area.

MRS. RUOTOLO: That is not the law. This is a question of the directive --

ASSEMBLYMAN McDONOUGH: It is the law.

MRS. RUOTOLO: Yes, but I say the violation should come from a directive from the Commissioner of Education, not the Department of Labor.

ASSEMBLYMAN McDONOUGH: What I'm trying to get at is, I was trying to pinpoint my discussion on the \$309,000. From the issuing officers that I've talked to, there would be severe saving at the local level, school budget level, if this issuing were being done at the State level. So the \$309,000 may cost the State that but no where in the fiscal note do we show the relief at the local level, and there would be relief.

MRS. RUOTOLO: Well, I am not going to argue money but I was wondering about the efficiency of a local issuing agent who knows that child and knows his community and knows his employers and not trying to send a child out to a dangerous employer. This has been found again and again. I know I had a 17 year old runner. I mean, those things happen.

ASSEMBLYMAN McDONOUGH: But you can't blame the church because somebody robbed the poor box. But what I want to get at is the fact that \$309,000 is a real, true, honest figure at the State level but there there undoubtedly would be a savings. And I can only make this as conjecture, the same as you have because neither of us have any real experience on the ID card system.

MRS. RUOTOLO: I'm just taking the fiscal note.

ASSEMBLYMAN McDONOUGH: Yes. Does anyone else have any questions?

ASSEMBLYWOMAN FENWICK: Mrs. Ruotolo, we've heard about having to have a separate card for every single job. In other words, a boy cuts a lawn or rakes leaves. Would you not approve a card that said, this boy is legal for raking leaves so he could rake leaves anywhere? I mean, do you see how we could simplify that?

MRS. RUOTOLO: Yes, very easily because that's a casual job and needs no employment certificate.

ASSEMBLYWOMAN FENWICK: It's regular. I mean, if he comes every Saturday, that's a regular job.

MRS. RUOTOLO: Well, then he goes in as domestic service, I presume, or agriculture. That would be a question for the Department of Labor. Agriculture has a permit, Mrs. Fenwick.

ASSEMBLYWOMAN FENWICK: Yes, but you see when you're living in a suburb you can't call it agriculture. I mean, all these things are phony. What I was thinking was help us with a simplification so that the child can be protected. Here is a card that says he can do legally

chores around the house, indoors and out, whether it's regular, whether it's casual. You couldn't have agriculture in Summit. And this is what we need to deal with. Could you help us with some ideas on that?

MRS. RUOTOLO: I'm not an expert, of course, but I can give you ideas. Antying that has to do with the ground is agriculture by the very sense of the word. I mean the word itself, the root.

ASSEMBLYWOMAN FENWICK: Well, suppose they're raking a driveway?

MRS. RUOTOLO: Well, that is still ground underneath the driveway. I mean, this would still be in the line of agriculture. Cutting the grass, raking the leaves, fixing the garden, trimming the trees, all of those things, in my estimation, would be agriculture. However, I'm not an expert. You ought to go really to the front.

ASSEMBLYWOMAN FENWICK: Well, what I'm trying to get at is not your definition of agriculture but your ideas for simplifying so that a boy does not have to get three things, because you know, Mrs. Ruotolo, you're an expert in the system. But I can only tell you, I talk to the young people I see employed in the A&P. Now that's a good employer. We've had boys in that A&P for a long, long time. The last boy I spoke to there, it took him three months to get his permit.

MRS. RUOTOLO: That's an unusual case. I would like to have the name and the file on it.

ASSEMBLYWOMAN FENWICK: Well, I would be happy to. But I am just saying this is the way it works. You know how it should work. I hear about it, complaints from parents and talking to young people, from the way it is working. And if we could just simplify it so that, for example, you would say that this boy is certified to work after school hours or Saturdays, regularly, in grocery stores; this boy is certified to work as a chore

boy, indoors, outdoors, around the house, - you don't have to get separate permits for agriculture and polishing the brass. You see what I mean? It all gets too complicated.

MRS. RUOTOLO: You all have that yellow abstract, I'm sure, and agriculture takes in all of these things that you've mentioned.

ASSEMBLYWOMAN FENWICK: Floors in the houses?

MRS. RUOTOLO: That's domestic.

ASSEMBLYWOMAN FENWICK: So then you would have to have a separate certificate, one for the agriculture, if he's going to work outdoors and rake leaves, and one if he comes indoors and helps you with the polishing.

MRS. RUOTOLO: Well, those are both little permits. You can get them down at your issuing office.

ASSEMBLYWOMAN FENWICK: Well, we're going to get rid of permits according to you.

MRS. RUOTOLO: I beg your pardon?

ASSEMBLYWOMAN FENWICK: You said we should try to stick to the certificates and eliminate permits.

MRS. RUOTOLO: No. I say some method of uniform employment certificate. And as far as we can see, this one is the best.

ASSEMBLYWOMAN FENWICK: Then what I'm saying is, wouldn't a certificate for employment in a certain category, instead of having to get three separate permits for each job, - I mean, this doesn't seem sensible, Mrs. Ruotolo.

MRS. RUOTOLO: Well, you see, you have three different employers and they may be three different types of employers. Now, as a placement counselor, I never would place a babysitter for the reason that I did not know under what circumstance that child might be working at ten, eleven, twelve o'clock at night. Therefore, I never would allow anybody that I knew of to give working papers to a babysitter. However, between the two sets of parents, that's

a parental thing. One reason is, you cannot enforce the law if you don't know where the child is working or the circumstance under which he is working. I wouldn't like to tell you about the order I had one day in Newark for a baby sitter. I didn't send anybody there but somebody else did. And when they got there the baby was a 16 year old boy. Now, we couldn't investigate that case, you see. That's why we, as counselors, never like to send out baby-sitters. However, if you are having a girl wax your floors, do the ironing, wash dishes, do the inside of the windows, that's a domestic chore and she gets her domestic certificate, a domestic service certificate or permit if she is going to do it regularly. However, you have a girl today, Saturday, she says goodbye to you and you don't say to her, come next Saturday and the next Saturday, then it's casual. She doesn't need a certificate.

ASSEMBLYWOMAN FENWICK: Yes, but what I'm trying to get at is, have you any suggestions for making this simpler so that, for example, you have a boy of 14 and you've investigated that he can do this kind of work and you are perfectly specific as to what kind of work, chores inside and outside the house. Have you any suggestions as to how we could do that or do you think a boy at 14 you would have to go and see exactly which house he's going to work in?

MRS. RUOTOLO: I think it would be safer. We've had some very, very bad experiences. I don't want to give any gruesome stories here. But you see, there is a permit now, an agriculture permit, that a boy can have for agriculture. There is a certificate for a domestic service. And, therefore, the householder who has his own insurance is much more secure with that than on the casual basis because in case of accident on the casual basis there is nothing that would put a ceiling on what the owner could be charged. There is no ceiling.

ASSEMBLYWOMAN FENWICK: You have no suggestion, then,

for simplifying. You think that for every job he gets, he ought to get a separate certificate for that job.

MRS. RUOTOLO: Yes. I think that's definitely the child's protection. Now, every guideline we have, every document we have, - these are from the labor standards in Washington, and I have a green sheet that I must pass around to you. They are experts in this and every single one of them says the child must have a separate certificate for every job and it must be mailed to him before he goes to work. This is the weakness of the yellow plastic card. Nobody knows where that child is until after he's hired, then the certificate is sent out. The present one, before the child goes to work the certificate is in the employer's hands, and the issuing officer knows where he works, and within 24 hours the Department of Labor knows where he works. And this is very important.

I would like to just let you have these (passing out sheets) because these are experts. I'm not an expert on the law. These are people who know what they're talking about through the years. And you can see, all the way down, they talk about a certificate being mailed to the employer before the child is hired, and that is his protection. Now this other thing, little permits for agriculture and a certificate for domestic service. But the agriculture thing that they use on the farm could also be for agriculture in your garden.

ASSEMBLYWOMAN FENWICK: Well, I don't know. It has a very inhibiting effect on employers.

MR. SIERGEJ: Mrs. Ruotolo, may I ask a few questions, please?

MRS. RUOTOLO: Yes.

MR. SIERGEJ: I do want everyone to understand that I almost gave up in having our adult population do something for our young people. Mrs. Ruotolo knows me and I take an opposite position from Mrs. Ruotolo.

I have been in the employment business of young

people full time since 1939. I have effected over 70,000 job placements of young people, such as part time, temporary, vacation, jobs for graduates, job for dropouts. Finally, the Governor has decided to get somebody positive on this Commission.

There are a number of questions that I have. And, Mrs. Ruotolo, you and I take opposite sides on a few things.

Number one, I do placement in the whole domestic service field but there is a technique to use. In my years, since '39, I have had only three complaints in this whole area. In the Youth Placement Service, you've got to set it up right or you don't do it. If you don't do it, that's another thing. I can elaborate on that without taking the people's time here.

Going into the issue of working papers, each school, before they enter a student, must have some recognition of that child's date of birth. It is so simple to look at the school record. The school has the authority to say that this is the birth of the child, by passport, by birth certificate, by baptismal record or whatever it is. Isn't it ridiculous and antiquated to have this kid present a birth certificate, baptismal record, etc., etc., each time for any particular indication of wanting to go to work? Immediately we can look at the school record. We know when this child was born. Now, if there is a deviation, somebody coming in from another community, and so on, and we don't have it, that's another matter. But that's very minor. We know our kids from the kindergarten right up to the time they graduate.

Doctor's form. If a kid takes gym, they're pretty active. The only way they can be taken away from gym, because gym is required by law, you can't graduate unless you've had it for four years of school - if we know that a kid is taking gym, that kid, I'd say in 999 cases

out of 1,000, can go into the legalized employment area that right now the Labor Law says they can go into, whether it's odd jobs, whether it's in a store, or whatever it may be. Every time we have a physical, it costs the community at least three or four dollars to have the doctor examine him. Doctors are not available on Saturdays, Sundays or Wednesdays.

If an employer calls today and says, I have a truck load of something come in, can you send me down five or six kids, what do you do about it?

When you open up employment opportunities for young people, where they need extra help at the time, they can't use their regular help for it and they want to help young people. This is a day to day procedure. But by what you're saying and the law definitely states now, and I stick by the law, we can't send five or six kids down there because they do not have working papers. Maybe by tomorrow, if this kid had working papers before, you sign this promise of employment - we send a kid down today, you sign this promise of employment and come back to the working paper office and the working paper officer must be there personally to sign this, and then maybe tomorrow you can get them.

But these are jobs that we're talking about, the area of jobs that young people can work at and employers are willing to take them, if the door was open for them.

Now, one other question which you brought up, and, of course, this is a bombshell, so far as I am concerned - you mention local autonomy --

MRS. RUOTOLO: Say that again?

MR. SIERGEJ: Local autonomy to do what is good for the young person.

We in education are just about taking everything over but babysitting, in fact, we're babysitting. We remember the time when there were many of these things that are services that our schools are giving toward the parents, toward the kids, were not there. Mine was one

of the first, placement function, and under Essex County Junior Employment Service, Mr. Meyers, Herb Meyers, was one of the first men involved in this.

MRS. RUOTOLO: I worked with him.

MR. SIERGEJ: Right. I got a little of my background from him. But times have changed so considerably from the time we had surveys made. I'm sure you have young boys coming in - we can tell just in our sports area -- you have young boys coming in, particularly in your urban areas, where we have to really take a hard look at what's going on in our urban areas with our young people compared to down maybe in the Tuckerton area where kids are maybe living on 20 acre farms and so on. But we've got to be concerned about these 15 year old kids, 6'2, 190 to 200 pounds, mature. Psychologically, it has been proven that they are mature physically at age 14. But they're maturing, their health factors are there. Our unions have helped an awful lot in this whole area of protection. So, why do we have to go through complete details to get these things?

Why would you have the objection to saying, here's a card, sonny, you can work in any store during this year? Anymore than a driver's license. You can drive for one year. Now, at the end of the year come back and renew it. It's no good after that. Because then we can check our records. Is he taking gym? Then he must be pretty physically capable. If he's not, then he must have a note from the doctor.

These are the things we're talking about. Baby sitting? Why can't a youngster? Or in the domestic field, as long as you have the control, local autonomy.

Now I'm saying this, going back to the one question I have, and you mentioned this before: Permit local autonomy by qualified personnel to deviate in their communities for the positive employment benefit of the individual youngster. Is there anything wrong with that?

MRS. RUOTOLO: Would you repeat that again? This thing is distorted in sound.

MR. SIERGEJ: Permit local autonomy, which means the local people, I in Plainfield.

MRS. RUOTOLO: You mean the counselor?

MR. SIERGEJ: I'm not talking about politics. In fact, keep politics completely out of this. This is one of my recommendations that we should set up a very active youth commission of a political nonentity of people who are involved with young people through their lives to take care of their needs. I don't want to see five Republicans and four Democrats because I saw this under Senator Shershin, I saw this other thing.

But let's go back to this. I would like to just ask, what objection do you have to the questions both of us have given you, of giving a sort of blanket permit for a boy to work in a store, as in agriculture we have what we call a six months permit, the boy can work in agriculture with this card. Correct?

MRS. RUOTOLO: Yes.

MR. SIERGEJ: Why should it be any different in another area?

MRS. RUOTOLO: That's what I said to Mrs. Fenwick. Why not have that sort of thing for the boy who is working around in your garden. It is agriculture.

MR. SIERGEJ: Well, I'm talking about all other areas of employment. Why can't he go to work for A&P? Now today they have to lay you off at A&P because top management says business is slow. Now he can go to Sears Roebuck or go to I don't care where but still in the retail establishment field, the same type of operation. What is wrong in that?

MRS. RUOTOLO: You see, Mr. Siergej, you have to have a responsible employer for every child.

MR. SIERGEJ: Each community should develop its own responsibility. In fact, employers have to become

aware that youth has to be served. I predicted 15 years ago, our youth are going to explode and they've exploded, because of the negative attitude taken toward a lot of things and particularly in the area of employment. Employers are deathly afraid of hiring a kid, period.

MRS. RUOTOLO: In getting ready for today, I interviewed quite a few personnel people in Newark and thereabouts, and each person that I spoke to said, "I like the employment certification now. When a child comes to me I know that this is authoritative information. I know that the schools have verified his age; I know that he has no particular physical disability; and I wouldn't think of hiring him without that. I do not want to be the sole arbiter of whether that child is equipped to do the particular job that I'm offering him." So my security is in having authority, the issuing officer of the Department of Education and the Department of Labor, before I hire that boy. Then I feel quite secure and I will give him a job. But if I don't feel secure, I'm not going to give him a job."

ASSEMBLYWOMAN FENWICK: The only insecurity is on account of the law. I mean, I don't know, I am a recent arrival on this Commission and the people who talk to me don't talk to me because I'm coming here or for any other reason than to express their feelings. But as one school principal told Mrs. Hawkins and me, half of the certificates he signed, the children were younger than they said they were. He knew they had to have the employment, not just because they needed money but because their characters needed the employment. There was the principal of a school and he told this to Mrs. Hawkins and me right out there.

MRS. RUOTOLO: I was there that day but I didn't think that was very good for the character training of the child for the principal to accede to the fact that he was older than he really was.

ASSEMBLYWOMAN FENWICK: But it shows that the law - when good people do things for the benefit of children that are against the law and not for their own advantage, there is something wrong with the law. I think what we need to do is to be adamant in our protection of the child. But we must understand that this situation is not working. And I agree with Mr. Siergej, I think it is causing some of the explosion. These children are frustrated and the employers just say, it's too much of a headache.

MRS. RUOTOLO: Today I talked with a man who works with youths, thousands of youths, and he said, "Mrs. Ruotolo, there are thousands of youngsters that have been out of school now for ten weeks and many of them have found jobs and they're not going to go back to school, period." So it has not done those children any good to have this work experience. I believe in work experience if it's properly controlled and suitable to the child. I'm a firm believer in it, but not to the detriment of his complete development of character and certainly not to lie about his age. And I think in the long run you find that our security, the present method is secure. It protects the child. It also gives great confidence to the employer. And this might open the way to less scrupulous employers. For instance, the principal that said he would agree to the boys age was really not being very scrupulous.

ASSEMBLYWOMAN FENWICK: But he knows what the child needs.

MRS. RUOTOLO: I know, dear. But get him welfare or something else. I am most compassionate with the child who needs care and needs money, but not to lie to him or to be part of his lie.

Was there something else, Mr. Siergej?

MR. SIERGEJ: Yes, I want to make sure that we're all clear on this. We've discussed the health, welfare and

safety of our youngsters in the Commission and we're very adamant about this. I am completely because I'm involved with young people all the time. I don't care whether it's as chairman of a youth commission or a youth committee in a YMCA, the little league, and so on.

Now, going back to this one point of one card for any employer. We still put the onus on the employer to whom this youngster would show his card. He goes from Sears Roebuck to A&P. A&P, before he can hire that youngster, can give you a call, can give the working official a call saying, Johnny Jones has just come in with his card, is he still available according to the rules for work. There is the only onus. And I think employers, knowing this, could very easily go through this instead of going through the complete routine of another and another paper and another this and another that.

MRS. RUOTOLO: Well, I think the authorities - I'm not the biggest authority in the country by any manner or means, but the green sheet that I have given to you there is authoritative. These are big people who have dealt with these questions and are dealing with them in thousands. We deal in thousands, of course, in the City of Newark, the biggest city in the State. They say the best and the only way of protecting the child and also protecting the employer is to have an employment certificate mailed to him by the issuing officer with the approval of the Department of Education and the Department of Labor - mailed to him, and the next day, whenever he gets it, it's usually 24 or 48 hours, - unless the machinery needs oiling. Now, with that, I am most sympathetic. I don't want any single child in the State of New Jersey to be held up three weeks for his working papers. And I don't think it's necessary. And if those cases were given to me, I would like very much to make

a study.

ASSEMBLYMAN McDONOUGH: Mrs. Ruotolo, we don't want to cut you off, and I appreciate your position. I would just thank you very much for being with us today.

Could I ask the rest of you not to repeat the things Mrs. Ruotolo has brought up today because she has covered this fairly well.

ASSEMBLYMAN KRAVARIK: Mr. Chairman, I just have one additional question.

ASSEMBLYMAN McDONOUGH: Oh, excuse me.

ASSEMBLYMAN KRAVARIK: Mrs. Ruotolo, I see here you have three items from child labor authorities, the last one is dated 1964. I see that the one above is when James Mitchell was Secretary of Labor, and I wonder if you could tell me how old these two other statements are. Are they current?

MRS. RUOTOLO: They are still on the books, yes. I called up and visited, in fact, in Washington and they say these are still the rules and regulations and the thoughts behind all of their legislation as of today. The Federal Labor Standards, as you know, are very well established.

Now that little lavender book I gave you shows how closely New Jersey follows what the standards are in Washington. Not everybody has to have that little slip from the parents but New Jersey does. New Jersey has every single one. On the back, I think, Mr. Chumney, - on the back there, do you see? New Jersey follows the birth certificate and the parents' permission all the way down the line. In fact, in the White House Conference in '60 I had a dozen people come to me and say, "Mrs. Ruotolo, I wish our state had as good a law as the State of New Jersey. We envy you." And we do have a very good record, you know, fewer accidents in New Jersey than almost any state in the union.

ASSEMBLYMAN McDONOUGH: Thank you very much.

MRS. DE HAUT: Excuse me, I have a question.  
Mrs. Ruotolo, in your many years of experience have you had many complaints about the procedure we have now?

MRS. RUOTOLO: You mean from the employer?

MRS. DE HAUT: Yes.

MRS. RUOTOLO: No, I have never had an employer say to me, I don't like this method.

ASSEMBLYMAN McDONOUGH: Well, excuse me, let me be the first one then, because I have a lumber yard and a hardware store and I have youngsters, my own, one ten and one seventeen, I don't hire them, even though they are my own children, because I just fear that I will have a violation. I happen to have a planing mill next to my lumber yard and about 75 feet from my hardware store and my fear is that some child, totally unauthorized, but working in my hardware store, would walk through my mill and get into trouble. So I would rather just forget about it. I won't worry about them and they don't worry about me and I'll just have to live with 18 year olds and above..

MRS. RUOTOLO: You're a good father.

ASSEMBLYMAN McDONOUGH: I just don't think it's right, and this is the point that I want to see corrected. It isn't that I want to shut your time off but we have to hear 20 people between now and 2:30. And, again, our purpose was to hear from you, not argue with you but to hear your side of it, which we appreciate.

MRS. RUOTOLO: I asked for these slots of time because, you know, today we have with us in our very same group here a great many organizations to be recognized, and the next one I would like you to recognize is the representative of the National Council of Catholic Women, Ethel Wille.

ASSEMBLYMAN McDONOUGH: Just one second, Mrs. Ruotolo, I know that Mr. Marciante asked to leave here before 12 o'clock. Can this be worked out?

MRS. RUOTOLO: I asked for these slots from Mr. Moore about a month ago.

ASSEMBLYMAN McDONOUGH: All right, then we will hear from the lady from this group.

E T H E L W I L L E: I am Ethel Wille, National Director, National Council of Catholic Women. I represent the province of New Jersey which includes the Archdioceses of Newark, Paterson and Trenton. I was a school administrator in the public schools of Newark for over 25 years. So my thinking is very much along Mrs. Ruotolo's lines, and I have a statement I will read to you. You have asked most of the questions of Mrs. Ruotolo that I would have been asked, so to save time, I will read my statement.

(Statement follows)

The New Jersey Child Labor Law passed in 1940 after careful study and with the advice and counsel of the personnel from the Children's Bureau and representation of labor, industry, education, safety and welfare has been and still is considered the best in the nation. It has been updated as conditions change through revision, interpretation of administrative regulations. Previous Commissions to Revise the Laws have been conducted but no basic changes have ever been recommended.

The resolution which provides for the setting up of a Commission to Revise the Laws, passed by the present Legislature, has caused much concern. Many fear that the revision may be downward, thus weakening the present existing laws.

There has been a recent change in respect to minors--Age 16. This change permits a minor to work in a restaurant until midnight on days not preceding a school day. This is dangerous to the health and welfare of the child. Since this change in the law, the number of violations have increased. Some minors have been known to work from 3 P.M. until 2 and 3 A.M. and sometimes until 5 A.M. in places where liquor is being sold and consumed on the premises. They are being paid at the rate of one dollar and fifty cents per hour (\$1.50). This is exploitation! More over these jobs should be filled by adults who are in need of employment.

The demand now is to extend the law to permit 16 year old girls to work in motels until midnight. Motel life, generally speaking is a casual life, liquor may or may not be served, but some patrons carry their own supply.

Motels are generally located outside the city limits and on highways where transportation is not always available. If a minor hasn't transportation, she is likely to accept a ride from any one offering a ride. This is dangerous! It is vicious. Anything could happen to her.

The present Employment Certification procedure for all minors (Age 12 - 18) should be maintained as is. It makes the law enforceable. The minor obtains Promise of Employment from his prospective employer which states the nature of work, wages and hours. Approval or disapproval of a particular job for a particular minor is made by the issuing officer of the local Board of Education and the Department of Labor before employment. This procedure prevents possible exploitation of the minor and it also protects the employer thus avoiding possible fraud on the part of the minor as the employment certificate is mailed to the employer. Only 5% of all occupations are too hazardous for minors under 18 years of age.

The new method of certification being considered by the Commission can prove very dangerous. This is, ie, the issuance of the Identification Card, not by the Department of Labor and Industry but by the State Department of Education, thus setting up a "labor data bank" in Trenton.

This proposed I. D. Card is extremely punitive for the child. It must be shown to every employer from the time he is 12 years old until he is 18 years old.

- (1) If the card is lost, stolen or borrowed a replacement costs the child \$2.00.
- (2) If the child is illegally hired the I.D. Card may be revoked and the right to work prohibited until the minor becomes 18 years of age.
- (3) The I.D. Card, precludes any employment counselling by the school or issuing officer of local Board of Education.
- (4) After the minor is hired, the employer sends an Employment Certificate to the State Department of Education NOT to the Department of Labor and Industry which is responsible for enforcement of the law. This puts additional responsibility on all employers of large or small businesses. There will be many and various interpretations of the laws as there are employers. The minor may work many weeks illegally before the Department of Labor inspects for possible violations.

A case in point. Recently a minor working where machinery was used caught his hand in the machine, the result being the loss of the hand. When the Department of Labor and Industry investigated the case the employer claimed no responsibility as he contended that he did not hire the worker. The boy was there on his own accord in spite of the fact the boy had been paid for his work.

There was no proof.

The issuance of I.D. Cards can only increase such incidents and violations.

The National Council of Catholic Women strenuously oppose the revision of the present method of certification. It desires the laws to be strengthened, if possible, and more strict enforcement of the laws whenever and wherever violations exist.

Thank you.

ASSEMBLYMAN McDONOUGH: Thank you, Miss Wille.

I would like to make a couple of statements here. I notice that you and the previous speaker talked about these violations in the restaurant industry. If you know of these violations, are you turning them in? And are we enforcing them?

MISS WILLE: I am not employed by the Labor Department.

ASSEMBLYMAN McDONOUGH: But you made a statement that you know there are violations.

MISS WILLE: And I know that these have been turned in by the Labor Department.

ASSEMBLYMAN McDONOUGH: Is the Labor Department enforcing these? I am going to ask this - there are two members here from the Labor Department - could they, for the next meeting of this Commission, --

MR. CLARK: I can answer that right now, sir. The Labor Department, I can say emphatically, is enforcing the Child Labor Laws. Let there be no question about that. Every violation that is wilful is either alleviated or prosecuted in the court. For the past year or two we've had over 80 cases that went to court.

ASSEMBLYMAN McDONOUGH: That encourages me then, that these are violations of the law and violations are being prosecuted. I am very pleased to hear that.

MR. CLARK: Not necessarily being prosecuted. If they are willful, they're being alleviated, and we resort to prosecution as a last recourse. For every accident

that's wilfully caused and we can substantiate, a charge is filed in the court against that employer.

ASSEMBLYMAN McDONOUGH: Right. I am very pleased to hear that because I was concerned that they weren't. It was indicated here by the speakers that these were just going on.

MR. CLARK: Well, we can always do things better, you know. It's easy to say let's have better enforcement. I wish we could but it takes more money too, you know.

ASSEMBLYWOMAN FENWICK: You have no suggestions for simplification, then.

MISS WILLE: No.

ASSEMBLYWOMAN FENWICK: Thank you.

ASSEMBLYMAN McDONOUGH: I just want to make one more note here so that this also doesn't go out as a pink cloud or a grey cloud.

The fact that these youngsters work in these restaurants doesn't mean that they are in serving liquor because the law says they can't take orders, cannot prepare or serve liquor. But what it has opened up for an awful lot of youngsters is the opportunity to park cars, the opportunity to shovel sidewalks, which they couldn't do before, and the opportunity to cut a lawn, which they couldn't do before. So, you see, there are many other jobs connected with places where alcoholic beverage is sold that youngsters could do, and it would be very similar to working on a farm, such as cutting grass, trimming hedges, and so forth, which prior to this time they could not do. So the law, you know, wasn't changed just for the sake of serving alcoholic beverage. Furthermore, they also have the problem, when they serve alcoholic beverage, of the closing down of the institution itself for an extended period, which is awfully costly.

MR. SIERGEJ: May I just add to that. It's opening up opportunities in our food industries which our young people have just been not knowing about. The word

"culinary" is a Greek word to our young people. I've had three of our seniors this year now interested in the culinary trades. We've had to go to foreign countries to get what we want. Our trades have to be opened up. In the whole auto body field, for instance, do you know that some of our big companies, for their whole body field, are going to Colombia to get their whole auto body shop and the foreman is the spokesman for them. And these people are hardworking people and making the big money which our young people in this country should be given the opportunity to be exposed to under real strict conditions. Enforcement - this alleviate, I don't like. Mr. Employer you're wilfully taking advantage of this youngster, fine him. Set the fine up so that it's going to be prohibitive. But do it right. This kiss and make up, anymore than our FTC does, cease and desist - wilfully, you know that you've done a wrong.

ASSEMBLYMAN KRAVARIK: Mr. Chairman, I have a question. I would like to know why the speaker feels so strongly that the Department of Education is incapable of handling this system.

MISS WILLE: I didn't get your question.

ASSEMBLYMAN KRAVARIK: Why do you feel so strongly that the New Jersey Department of Education is incapable of administering the system?

MISS WILLE: I didn't say it was incapable but there is a lot of red tape before the child is finally recognized and the work that he wants to do.

ASSEMBLYMAN KRAVARIK: Red tape is your reason for that statement?

MISS WILLE: It's very important. I think the issuing officer should know the kind of a job the boy or the girl is going to take, whether it's in his ability to take it, and the hours he can work, and he should keep track of him. I'm interested in the fact that children are being exploited and I object to that. And I object to girls working the

hours they'r working and the places they're working.

ASSEMBLYMAN KRAVARIK: Do you have any specific examples you could bring to our attention?

MISS WILLE: Pardon?

ASSEMBLYMAN KRAVARIK: Do you have any specific examples of what you're objecting to that you could bring to our attention?

MISS WILLE: I'm objecting to girls working in motels, principally.

ASSEMBLYMAN KRAVARIK: Well, do you have the name of a particular hotel or motel or girl that you could give us, or a location?

MISS WILLE: The location is - most of the motels are located outside of the city limits. Motel life, generally speaking, is a casual life. Liquor may not be sold or it may be sold on the premises, but most people carry their own. There are a lot of things that could happen to a girl at the age of 16 outside the city, where there is no transportation, no way of getting home unless somebody picks her up.

ASSEMBLYMAN KRAVARIK: I sincerely appreciate what you're trying to say. My problem is, for instance, because of the nature of my employment I have to attend meetings quite frequently at motels in the Middlesex County area; I have never seen juvenile employment there and I wonder if you could tell me where these cases of juvenile employment are taking place and what kinds of violations are occurring.

ASSEMBLYWOMAN FENWICK: Specifically. He's asking for a specific situation.

MISS WILLE: We have no specific instances at the present.

ASSEMBLYMAN KRAVARIK: Thank you.

MISS WILLE: It's what might happen. This is what we're taking care of, that's what we're worried about, the moral side of it.

ASSEMBLYMAN KRAVARIK: Mr. Chairman, this is not directed at the witness, however, I would like to ask if it would be possible for the Department of Labor and Industry to give us a breakdown for some current period of the kinds of employment of juveniles, geographically chronologically broken down by age; the hours of work that are actually being performed, both in duration and according to times of the day; and a list of the violations, the complaints that have been made, the findings of Labor and Industry, the types of complaints, convictions, if any, or whether they be administrative or judicial.

ASSEMBLYMAN McDONOUGH: Bill Clark, can you answer that?

MR. CLARK: Yes, it can be done but you are asking us to tie up maybe ten people for about six months for that much detail. And we would be taking them off enforcement. So, it can be done if we're asked to do it. I wouldn't volunteer such. I can give it to you in general, tell you what the violations were last year; we can tell you where kids are working in general but if you want a geographical breakdown by Newark and all the cities, it would be a tremendous job. We could give you a list of our court cases. No problem there. But for such specifics, we'd tie up an awful lot of people for a long time. There are a couple of hundred thousand kids that work each year and each case, at this point, would have to be analyzed specifically.

ASSEMBLYMAN KRAVARIK: I'm sympathetic to the fiscal problem. My wife has it every time she goes to the grocery store. I don't understand how we can really be doing our job if this information is not immediately available and if these kinds of statistics aren't being kept. I would, as a member of the Commission and a Legislator, find acceptable that information you can make immediately available, but I do feel that the greater detail is necessary on a routine basis and I would like to have that if and when possible.

MR. CLARK: See, we don't have it on a geographical basis. First of all, the question of geographic, what would it be? each school in each town? That's a problem. We have general statistics on violations.

ASSEMBLYMAN KRAVARIK: Well, how do I separate what the problem is in Cape May as compared to Newark or Jersey City?

MR. CLARK: We can give you a general breakdown on the southern part of the State and the northern part of the State. By geographic, do you mean every little town?

ASSEMBLYMAN KRAVARIK: If you could break it from rural to suburban and urban, I would appreciate it.

MR. CLARK: I think that Miss Newmark, who is here, is supervisor of that and is immediately familiar with it. How much of the information that the Assemblyman asked for can we immediately give him?

MRS. NEWMARK: We could give him the number of inspections made, the number of employers that have been in for violation and the type of violation. But we can't give you - at least, it would require a great deal of statistical study to give you the number of hours worked. We can tell you that there are violations of hours in certain places. Now, we can give you the breakdown on the court cases, more specifically the types of violations we have, where we've had court cases and the types of violations, the court cases that have been processed and the convictions.

We enforce many laws in the Wage & Hour Bureau and many cases we bring in for compliance where there is not a court case. I can give you the total number of firms that we did this with but in each one of those cases it may be not just wage and hours but other types of violations. To give you that breakdown, accumulate those statistics, the statistics we accumulate I can give you but it would be an over-all picture.

ASSEMBLYMAN KRAVARIK: Would computerization help you in maintaining such statistics?

MRS. NEWMARK: Well, we are working on a system of revising our statistical report, keypunching it, but at the present time we are working on it where we might be able to get additional statistics. But to do it now, with some manpower we can accumulate all the things you ask.

ASSEMBLYMAN KRAVARIK: Would it be possible to get some trend indicators? For instance, how many jobs juveniles are holding, roughly; an industrial breakdown; or could you give us something showing the trends, whether the number of jobs are going up or down over what periods and whether complaints are going up or down and in what periods?

MRS. NEWMARK: We do keep and can easily get for you the number of employment certificates that we have reviewed in our agency over years past, and the number of certificates that we had to return because they were not correct. Usually it is something that can be corrected in the issuance. We return them and then they come back corrected. We can also give you the number of establishments affected and the number of violations, and the number of court cases.

Now the total child labor employment picture we only can give to you from the number of certificates that we have reviewed and we do some general classification, agriculture, newspaper permit and general employment.

ASSEMBLYMAN KRAVARIK: I won't ask for the impossible but as much as you can give me, based on what I asked for, I would appreciate. I would like to ask this additional question, then: If the Department of Education and a computer were to take over the certificate procedure, wouldn't that free up the Department of Labor and Industry to do more inspection and enforcement with the available staff?

MRS. NEWMARK: Are you asking me?

ASSEMBLYMAN KRAVARIK: Yes.

MRS. NEWMARK: Well, we could look into it and determine it - the accumulation of statistics in our office. We automatically accumulate some statistics from our reports. Computerization of reports would have to be done in the Department of Labor because the Department of Education is not making the inspections, we are. When we make inspections and find violations we have a report on that. When we can get it on a computer we will be able to give it to you. I am not certain whether you mean the issuing of certificates, the types of employment, etc. If it means that, it is the Department of Labor that reviews all those things; yes it could be done from that but it would have to be either the Department of Education or the Department of Labor, I don't know.

ASSEMBLYMAN KRAVARIK: Let the record show that the representative of Labor and Industry is the most charming and articulate of those present and we appreciate the fact that she was put on the spot and I think she answered very well.

ASSEMBLYWOMAN FENWICK: Very well.

MR. CLARK: May I continue on that? The question is, would the new system alleviate part of our problem and allow us to do more enforcement work. Right now, enforcement is a combination. The Department of Education is enforcing the Child Labor Law. Also by statute, many, many groups interested in children are enforcing this Child Labor Law and have authority to go in and inspect certificates.

Each issuing officer that issues a certificate is an enforcement agent. The certificate itself is an enforcement tool, it's a pre-enforcement tool. I can say that perhaps more enforcement is done by the issuing officers than by even the Department of Labor and the Department of Education as such.

Alleviating issuing officers wouldn't free up the

Department of Labor and Industry to do more enforcement work, it would require us to do more enforcement and more inspections. It would require us to devote more time to inspections because of rejections. In my own opinion, it would tie us up more and we would be able to do less enforcement work as such. We would have to do more inspections; we're taking away the group of enforcing officers and they would have to be replaced, they would have to be replaced by inspectors from our office. Our staff would have to be bigger.

ASSEMBLYMAN KRAVARIK: However, that's based on the assumption that the Department of Education isn't screening the work applications, is it not?

MR. CLARK: No, it's not based on assumption, it's based on the fact of taking away a local school issuing officer. Under the system proposed, the issuing officer is, in fact, the employer because he is the one, when a child comes with the ID card the employer fills out the thing and it makes the employer the enforcing officer instead of the third party, the issuing officer. So, in fact, it could take away an enforcement agency which would have to be replaced by something, either one of our inspectors or some other agency.

ASSEMBLYMAN McDONOUGH: Let me just ask one final question and that is, if, as Mrs. Newmark said and you agree with, the fact that you are now beginning to go into a computerized operation - is that what you indicated and you are getting more information that you are card-punching now?

MRS. NEWMARK: It is in the planning stage now.

ASSEMBLYMAN McDONOUGH: Bill, this would reduce our fiscal note, then, to do this, if you are presently getting the information now, preparing for it now - you are evidently preparing to do some card computerization now, therefore the figure of \$309,000 --

MR. CLARK: The Department of Labor and Industry, about four years ago, installed a computer system in the whole Department. Right now we have a system, for example, unemployment insurance, where our employed worker goes into one of the local offices, puts a card in a machine, they punch a press and within 30 or 40 seconds that same machine types out an unemployment check. Well, so far that's the extent of our computer. We're gradually putting more things on the computer and eventually we're going to have all the statistics, which are now done by keypunching and the old-fashioned - our statistics right now are electronic but the old-fashioned electronic machines. So eventually our Department of Labor and Industry computer will be doing all of our Department of Labor and Industry statistics, also assisting us in enforcement, giving us information that the Assemblyman talked about so we can get to places where the highest incidence of violations are, and better utilize our staff. But this is all in the process right now.

ASSEMBLYWOMAN: Is this the kind of computer that costs \$96,000?

MR. CLARK: I would think our computer in the Department of Labor probably even cost more, I'm sure they do.

ASSEMBLYMAN McDONOUGH: I am sure with Commissioner Serriano, who comes out of one of the most progressive companies in New Jersey, you're going to be computerized as quickly as he can do it. And I commend the Department for the fact that they are moving ahead. But at the same time, I do see this figure as being adjusted. This was figured on starting from scratch, and you have some start.

Once again, because of the time --

MRS. RUOTOLO: I have three other speakers that I asked slots for. They will not be long. The Rev. John Stanton of the Diocese of Newark.

R E V. J O H N S T A N T O N: Mr. Chairman, I am Rev. John Stanton from Trinity Episcopal Church in Hoboken, and I want to present a statement on behalf of the Department of Christian Social Relations and also on behalf of the Rev. Canon Benedict H. Hanson, who was not able to be present today.

I do not speak here as an expert in economics, but since the well-being of the person is involved in the economic process, the Church has an imperative to speak on the well-being of the human person on his enhancement and development as a child of God, as an immortal soul. The Church is, therefore, deeply concerned in economic problems and ever puts human values above material values.

Many of the religious bodies of this State, especially the Departments of Christian Social Relations of the two Protestant Episcopal dioceses in New Jersey, have been continuously and unwearingly concerned with the well-being of the employed child. It is a matter of record that the churches have been active in the passage of the Child Labor Law in New Jersey and have been continuously active in the protection of that law, in its preservation, and its strengthening.

Both of our Departments in the Church are very much concerned with any changes in the Law which come under the guise of "modernizing the law", but which, in fact, would lower the degree of protection that the law now provides for the employed child. We have been ever vigilant in watching for such efforts to amend the law, and we will continue to be vigilant. We believe that the law is a good one and that it does not need any essential change. However, we do have suggestions to make for the strengthening of the law.

First, the provision of the law which now permits children from 12 to 16 years of age to work 10 hours a day and 60 hours a week should be changed so that the number of hours of work would be reduced.

Second, the provision of the law which permits 16 and 17 year olds while still in school to work 40 hours per week, in addition to their school work, should be changed to bring it into line with the standard set by the American Medical Association and other authorities in this regard. This would mean a reduction in the hours worked per week.

Thirdly, the list of extra-hazardous occupations in the law should be lengthened to include all extra-hazardous occupations listed in the Federal Law.

Fourthly, provision should be made for an adequate budget for enforcement.

Fifthly, illegal employment of migrant children in agriculture during school hours is still far too high. Immediate steps should be taken to see that the law is strictly enforced.

This statement which I have read to you was also read on March 22 in 1957 to the Child Labor Law Study Commission which was studying this same topic at that time. And I have been asked to read it to you because our Department of Christian Social Relations and its committee in this area feel that the law is a good one and that this statement is as relevant now as it was then.

My colleague will make a statement of similar length which is more pertinent to the hearings which are being held at this time and to the proposals which are before the Legislature.

Thank you.

ASSEMBLYWOMAN FENWICK: You have no suggestions for simplifying the procedures while, at the same time, protecting the child?

REV. STANTON: No, I don't. I can speak only from my experience in work in Hoboken that the law operates

very well and does not need simplification. For example, I have hired young people myself to work in the church and it takes only one day to accomplish the task. We speak about it on one day and the child picks up the papers and checks it through the Board of Education and is hired the next.

ASSEMBLYWOMAN FENWICK: And gets his birth certificate from his mother?

REV. STANTON: Yes. This is very simple. Most people have these documents nowadays. They are not hard to come by. And besides, I'm able to provide it usually with a baptismal certificate.

ASSEMBLYWOMAN FENWICK: You're in a special position.

ASSEMBLYMAN KRAVARIK: I would just like to say, with the assistance of the Department of Labor and Industry, I am able to refute any statement that juveniles are working during school hours in New Jersey. First of all, under the age of 16 the limitation on hours includes school as well as employment to arrive at the 40 hours; secondly, we are a cold weather state and there is very little agricultural employment during the school year, if any, none to my knowledge or to the Department's knowledge. And also, with the exception of one case, two years ago, there are no indications whatsoever of any juvenile employment during school hours in New Jersey.

We are here to solve problems and we know New Jersey has problems but I think it deserves to be acknowledged for having a good record in that regard.

MRS. RUOTOLO: Mr. Chairman, I have a statement from Maryellen Doherty.

M A R Y E L L E N D O H E R T Y: My name is Maryellen Doherty. I am 16 years old and a student of the Academy of Saint Aloysius in Jersey City. I worked during the summer vacation to build a fund for college.

Mr. McDonough's invitation to teenagers made me think that perhaps you would be interested in my experience

when I took out my working papers for the first time and also my opinion of the procedure.

I found getting working papers a very simple process. I went to the Jersey City Board of Education with my birth certificate and the promise of employment form already filled out and signed by my employer. On the same day the physician passed me as physically fit. I then signed my employment certificate forms in the presence of the issuing officer that same day. The issuing officer mailed out my working papers that day.

I was told by the issuing officer that I would only need a promise of employment form to obtain any future employment certificates.

I think that this system is very simple and fast and should not be changed because the promise of employment gives me:

1. A written guarantee of the hours I am to work and the wages I am to receive.
2. And most important, the promise of employment gives me a written guarantee that I shall not become involved in any job which the State considers dangerous for me.

Thank you.

ASSEMBLYMAN McDONOUGH: Thank you.

MRS. RUOTOLO: The Rev. Edward Hajduk, Director of the Catholic Youth Organization, CYO.

R E V. E D W A R D J. H A J D U K: Mr. Chairman and members of the Commission, my name is Father Edward Hajduk, Youth Director of the Archdiocese of Newark and Regional Director of the CYO's of the State of New Jersey.

I have a prepared statement but perhaps it might be better for me to try to summarize it for your benefit.

Certainly laws need a look at. No statute should remain on a book without it certainly being looked at as to its present purpose. But I think it's also important that change is not always a sign of progress and, hence,

when laws are up for revision or for the consequence of possible change, it should be very carefully scrutinized.

I think the purpose of this Commission is a very vital one because it's looking into the statutes that are now on the books and the possible revision of them.

I've read the legislation and I really feel that the process of a simple identification card can open up a floodgate of problems. I certainly seem to feel that an uncounseled and poorly informed young person can choose very poorly. The present system really allows the counselor in the school to carefully ask the youngster the simple questions - why do you work? where? what's the purpose? - and at least it allows a counseling relationship for a minute or briefly for a period and makes the questions very pertinent to the person.

Identification cards become simply cartes blanches. We all have credit cards in our pockets and they really become open sesames to all kinds of opportunities. Where, if I have to simply be asked, should you make this purchase, I might question really should I make it.

I feel that the revision too could also undermine the educational pattern. My reason for that is because, having worked with youngsters, the very fact that a greenback in a purse really becomes extremely inviting. I am for employment of young people but for controlled employment. I worked, myself, when I was in high school and I feel it was a very good experience. I never want anyone to feel that I would be against any young person having the opportunity to really become a bigger person by working with people outside of their normal sphere of influence.

I remember having an employer, a very fine gentleman, who probably was one of the most singular influences on me that you could probably have found. He said things to me that my father and mother said but I felt he didn't have to say them, and hence the influence was very pertinent.

But the control of the working papers also had a built-in kind of help. I did not find getting working papers a problem. In fact, it was a very simple situation. I was in a parochial school, I didn't even belong to the public school system, and yet it was a very simple thing for me to apply for papers, have them issued, and my employment was guaranteed.

ASSEMBLYWOMAN FENWICK: Where were you?

FATHER HAJDUK: I was in the City of Bayonne in the parochial school system and I had to go to the Board of Education, the public Board of Education, but it was a very simple process and without any difficulty.

Really, young people's employment is a very serious question. Their primary role, between the ages of 12 and 18, should be principally education. Work, if it's there, should be merely a help in the educative process, not their primary role. And I feel that the counselor, the man who issues the certificate, really has the opportunity to do a lot more than just sign a simple piece of paper.

Under the identification system, as I read the law, that person is being completely negated and eliminated.

As I listened to the gentleman here, his role would really now have to be supplanted by a person who enforces the law, rather than one who would just simply question a young person on the purpose of their employment.

I would, therefore, ask this Commission to consider first, whether the proposed changes in the identification that we presently have is really so bad, and is it really in the best interest of young people to put them on computers. The fact that we really make them nothing but a mutilated card or a card that shouldn't get spindled or mutilated. But are they people? And the certificate, as it stands now, at least lets us deal with them on a personal level.

Secondly, new employment opportunities that are being suggested certainly also should be carefully scrutinized.

As the Chairman certainly indicated, work opportunities at hotels and motels does not really necessitate working in places with bars or things like that. But young people are young people, and I think I would rather see them at a great distance from possible difficulty than the very fact of putting them in the proximity of it. They have enough problems already and we definitely don't have to encourage areas of conflict for them. I would much rather see that we would minimize them rather than make them possible.

Thirdly, I don't know too many adults who are allowed to work 10 hours a day. In fact, if they do, they work at a very high rate of pay. Yet the present statute, and I would ask the Commission to look into this, does allow young people in the agricultural field in the summer to work 10 hours a day, 6 days a week. Now this definitely is not in keeping with the trend that we have in labor, the mood that we're trying to cultivate in the greater cultural experience and recreational opportunity. I really feel that in letting young people work for that length of time is really an exploitation of them. I really wonder if employers would really sit down and carefully consider hiring other people at full salary for that length of time and for that many hours if they had to pay them the full wage scale. In fact, as I am sure the Commission is aware, the federal statutes never allow you to hire young people for that length of time for any kind of employment.

Lastly, I certainly believe that controls do not prevent people from exercising liberties. Controls certainly are vital. Here what you are doing is really asking that the controls be legitimate for the life experience of a very vital resource of our nation, its youth.

I certainly could not support the changes or recommend the changes that would make it carte blanche

as I would read the law, and feel the law would certainly give the opportunity. Perhaps, if there is to be revision it would be with the fact that they would close loopholes rather than make them possible.

I would also hope that the Commission could really look into what employment opportunities are available for young people and that the employment procedures, as they are, remain, but that young people really have the opportunity to share in the life-growing experience.

So we certainly commend the Commission for looking into the question but we hope that they would certainly look into it with an eye not to just modernization but to the people that are involved.

MRS. FENWICK: What suggestions have you, Father, for simplifying the forms and procedures that now are in the law?

FATHER HAJDUK: Knowing that I was coming to testify, I took a few moments just to check with some parents. I am working in Newark. I do not have a large statistical background so I can't say. I checked with parents and none of them found the present structure inhibitive. This is just several parents so I am not going to stand before you and say I did a survey, I didn't. But I said, let me check what you found as a difficulty. And any of the young people that we've employed in the structure of the CYO also have not found the present structure inhibitive. And when I get a chance, I am going to definitely talk with the gentlemen in the Board of Education in Newark because from their own background and previous experience they have not found the law a difficulty.

ASSEMBLYWOMAN FENWICK: I can't understand it. I worked in the Central Ward in Newark all one winter interviewing women, mothers mostly, at night, and there wasn't one that didn't complain about it, there wasn't one that didn't say these procedures are making it impossible for my children to get work. That's what started

my interest in the field. I mean, I have no employment, I have no interest in any employment but what started me was listening to these women of low income, high rise apartments of Newark, the mothers who were trying to cope with bringing up their children under impossible situations.

FATHER HAJDUK: I can only give you my interpretations.

ASSEMBLYWOMAN FENWICK: I know. I can't understand the difference in our experience. Do you see perhaps, Father, in your parochial schools a more fortunate group of people to whom these elaborate procedures are not such a barrier?

FATHER HAJDUK: No. I think the problem is this, as I see it now, the mothers are looking for employment opportunity; it's not the procedure of getting the employment. Many of the parents that I've dealt with --

ASSEMBLYWOMAN FENWICK: Then you would widen the kinds of jobs open to children?

FATHER HAJDUK: Where do you go to find a job, for example. If I were a parent I'm concerned about how does my youngster find a job.

ASSEMBLYWOMAN FENWICK: Well, I suppose through Mrs. Stovekin.

FATHER HAJDUK: True. These parents are conscious of job opportunities but they are not aware of the counseling occasions that the State Department of Labor, for example, provides.

ASSEMBLYWOMAN FENWICK: Well my ladies just find that it's impossible. They come home, a lot of them haven't birth certificates or baptismal certificates or anything particular for their children, and in many cases there are foster mothers and the documents are not available.

FATHER HAJDUK: We are very conscious of this. For example, in our camp experience we know that we have to sit down with parents and explain camp procedure because really they're not aware of what camp is all about.

So it's an educative process. We presume people know procedures and they don't.

ASSEMBLYMAN McDONOUGH: Maybe if these were simplified, maybe companies, like mine, would make jobs available for these youngsters you talk about. This is what concerns me. The fact that we have a procedure - I know we have a good procedure but I would like to find a better one that would make industry more desirous of having these youngsters come in to work, where I don't have to sweat out every day what is this kid doing? am I in violation? what happens to my insurance? am I paying a double jeopardy clause in my insurance? I would rather not take the chance because I don't care what school they come from, who their mothers are, they're not going to go to work for me.

FATHER HAJDUK: But as I understand the present statute, Mr. Assemblyman, you are more protected as an employer than you could possibly be under the new statute.

ASSEMBLYWOMAN FENWICK: No. Double jeopardy, you have to insure yourself against it.

FATHER HAJDUK: But in the present statute once the issuing officer grants the certificate of employment it's a certification of your place of business as an acceptable place of business; where the reverse procedure would be, if I come down with my identification card then you take on the sole responsibility. I have no knowledge of insurance so I am not going to get into that, but I wonder wouldn't that become a question to the insurance industry.

ASSEMBLYMAN McDONOUGH: Well, I assure you, Father, not today, but this Committee is going to sit down with some pretty high executives in some major insurance companies to be sure that if we make some kind of a change, that change is insurable and in the areas of insurance so that it can be written maybe even at better rates.

FATHER HAJDUK: But I would still feel that dealing with the person, the issuing officer and the youngster, is

a vital thing that should not be disregarded. Where, if they are given a card, that is left out completely. And I really feel that's a vital step. It might be a delay of one day but I would rather see a youngster questioned for one moment, why are you going to work? is it advisable? could it be detrimental? - I mean, even the question of going to work could be detrimental. Maybe this youngster is really on the wavering line in school. We're spending thousands of dollars on programs like Outward Bound to keep youngsters in school, you know, we're investing thousands of dollars because we don't want the youngsters to forget the educative process. I really feel that it's vital that we not do something that would make work so easy that it would make the educative process secondary.

ASSEMBLYMAN McDONOUGH: Thank you very much, Father.

FATHER HAJDUK: Thank you, members of the Commission.

MRS. RUOTOLO: We have the Rev. Ernest Young from the Diocese of Newark, Episcopal Diocese.

R E V. E R N E S T S. Y O U N G: I am the Rev. Ernest Young, Rector of the Church of Holy Communion in Norwood, New Jersey; Member of the Legislative Committee of the Department of Christian Social Relations of the Episcopal Diocese of Newark.

Mr. Chairman and members of the Commission: I would like to present briefly a statement on behalf of the Department of Christian Social Relations of the Episcopal Diocese of Newark. I speak from the Church's stance of concern for the total well-being of persons; the well-being of mind, body and soul. The Church is vitally concerned with all influences; social, economic, political, etc. that affect such total well-being.

The Well-being of the employed child has long been a major concern of the churches. From the reforms correcting some of the earliest abuses of the industrial revolution in the last century to active participation in the passage of legislation currently in force in this and most of the other states of the Union, the Churches have played a major part. Indeed, it is now an almost forgotten fact that one of the most familiar Christian institutions,, the Sunday School, was developed as just that, a school held on Sundays for the education of working children in the days before public education was available to and provided for all children. Our concern is deep, of long standing, and determined that the influences upon the well-being of our children be so ordered that their full potential for growth and development mentally, physically, and spiritually has every opportunity to be realized. We feel that such total realization of potential is the the greater good of the individual child of God.

With regard to this present hearing, and the work of your Commission, our concern is twofold. First, we are concerned with any change in the present law which would reduce the degree of protection currently provided for the working child. Second, we are concerned to suggest a number of ways the current, basically good law, might be strengthened and its benefits extended.

First, the the current law not be reduced in the protection it affords, we would speak against Assembly Bill 109 and 110. Especially undesirable is the intention to substitute identification cards for the current procedure. We now have a demonstrably workable procedure that protects both the employer and the child employed from the moment that the job begins. Assembly Bill #110 in the interest of saving time would allow a card holding child to begin work immediately. However, during the very time that would be saved under this proposal, neither the child nor his employer would have the protective assurance that the work the child did is either legal or appropriate. The current law provides this protective assurance to both. We feel that the risks involved for so many people are not justified by the saving of a few days or even a few weeks time.

Second; toward strengthening the current law, we would suggest:

First: Extending to children employed in Agriculture, the same age and hourly protections afforded those engaged in General Employment.

Second: To reconcile the ambiguity that now exists caused by the designation of girls as newspaperboys. Newspaper sale and delivery is a street trade in which the current law requires girls be 18 years of age.

Third: To repeal the recent amendment to the current law that permits 16 year olds to work in restaurants until midnight. In our Opinion this is no hour for a 16 year old to be turned onto the streets alone.

In conclusion, I would state again our opposition to any and all changes to the current law that would reduce its effectiveness in protecting children . I would also state our support to the strenghtening of the current law and the extension of its protection.

Thank you.

ASSEMBLYMAN McDONOUGH: Thank you very much.

Any questions?

ASSEMBLYWOMAN FENWICK: Any suggestions?

REV. YOUNG: No.

ASSEMBLYMAN McDONOUGH: Mr. Marciante.

C H A R L E S     H.     M A R C I A N T E: My name is Charles Marciante. I am President of the New Jersey State AFL-CIO. Our offices are at 744 Broad Street, Newark, New Jersey.

First off, I'd like to thank the members of the Commission for giving me an opportunity of presenting the views of our organization on the question of the study of our state's child labor laws.

As many of you, undoubtedly, are aware, organized labor played the dominant role over many years in having every piece of legislation protecting children in employment enacted into law.

I will not burden you with the abuses that were heaped upon children in the early days of the Industrial Revolution. The pictorial history of those abuses are certainly implanted most deeply, we feel, in everyone's mind. Needless to say, labor does not want to return to those days nor, I'm sure, does any member of this Commission.

We have watched with deep interest the scope of the Commission's study. Quite frankly, we can only deduce that attempts to change, "update and modernize" the existing protections are to be viewed with suspicion. We seriously doubt the sincerity of some of the Commission's proposals.

The Child Labor Study Commission could do a real job for New Jersey if they devoted their time to pointing up the exploitation

of children that presently exists in our state. It is a known fact that federal and state investigators are daily turning up ever increasing violations in both light and heavy industry and commerce.

The Commission would do well to recommend to the legislature that larger appropriations be made available to the State Department of Labor for more investigations into the abuses and circumvention of our existing child labor laws. Those in the State Labor Department are to be highly commended for the job they are doing on enforcement with a limited number of investigators.

The regional office of U.S. Department of Labor, which maintains a rather large staff for investigating abuses of worker protections in safety and wage payment is able to process only 4% of the complaints they receive.

We ask this Commission to discard their goals of updating and modernizing the existing system and provide the necessary staff to fully implement the legislative protections that already exist.

Attached hereto is a story from "Newsweek" magazine dated April 12, 1971, which will be of interest to you. The story points up the increase of child labor abuses. (See p.130)

I might say, you will notice in that story that in California, which is regarded as having one of the most up-to-date child labor laws, they have found that child labor abuses have increased some 50% in the last five years.

We wish again to thank the Commission for the opportunity to express our views and we ask that the present system be maintained.

ASSEMBLYWOMAN FENWICK: Could you give us any figures on the statement, "It is a known fact that federal and state investigators are daily turning up every-increasing violations"? What are the figures on that? How many have been turned up by the federal and how many by the State?

MR. MARCIANTE: I am about as aware of those figures as you are, Mrs. Fenwick, but I do know that in our own State Department of Labor if they had sufficient staff you would have an ever-increasing number of violations uncovered.

ASSEMBLYWOMAN FENWICK: No, I'm referring to the last three lines on the first page: "It is a known fact that federal and state investigators --

MR. MARCIANTE: Under federal investigations, we've had the opportunity of sitting with Frank Mercurio, who is the Regional Director of the U. S. Department of Labor. He's based in New York City. He informed me that of the hundreds of thousands of complaints that he receives in his office on violations, he's only able to process 4%.

ASSEMBLYWOMAN FENWICK: What figures are you referring to here? That's what I'm trying to find out. What figures have been turned up in New Jersey? "It is a known fact that federal and state investigators are daily turning up ever-increasing violations in both light and heavy industry and commerce." What figures are you referring to here?

MR. MARCIANTE: Well, I cite to you California.

ASSEMBLYWOMAN FENWICK: Oh, not in New Jersey.

MR. MARCIANTE: Well, it's certainly no different.

ASSEMBLYWOMAN FENWICK: But, I mean, what have we discovered in New Jersey?

MR. MARCIANTE: I would have to defer to Mr. Clark or someone from his Department who would be able to probably point this up. Mr. Clark, would it be possible for you to indicate a trend upward of child labor?

MR. CLARK: Yes. There are more children working today than ever in the history of New Jersey. It's about two hundred and some thousand compared to maybe a little over one hundred thousand five years ago.

ASSEMBLYWOMAN FENWICK: Is that a proportional rise to the child population or is that just an increase in numbers due to a larger population?

MR. CLARK: I think it's an increase - there are more children working proportionately today than there was previously, due to the work of groups like the YES agencies. Youth concerned people are finding opportunities for youth.

ASSEMBLYWOMAN FENWICK: Could you give us those figures?

MR. CLARK: Coincidental with the increase in employment of youngsters, there has been an increase in violation incidents because for every youngster there is a normal ratio of violation employers. So the violations are also heavier today. We're finding more than we ever have in the history of the State, but because more people are working too.

ASSEMBLYWOMAN FENWICK: Could you give us those figures?

MR. CLARK: Mrs. Newmark, when she presents the Committee with the breakdown, she will break down the violations.

ASSEMBLYWOMAN FENWICK: I see. 200,000, you say, now are working?

MR. CLARK: Well, we issue about close to 150,000 certificates. I am assuming that there are other youngsters employed without certificates. The last time I did a study, it was close to 200,000 youngsters employed in New Jersey each year.

ASSEMBLYWOMAN FENWICK: And how many were there five years ago? roughly.

MR. CLARK: Something a little over 100,000.

ASSEMBLYWOMAN FENWICK: Certificates.

MR. CLARK: No. The certificates approximate five years ago ran 75,000 to 80,000.

MRS. DE HAUT: Mr. Marciante, are you suggesting that the money that would be used to implement this ID card system could be better used for investigators?

MR. MARCIANTE: The \$309,000 that was referred to to implement the ID cards system could certainly be of great benefit to the State Department of Labor for the hiring of more investigators so that they may do a more thorough job of investigation.

MRS. DE HAUT: Thank you.

MR. CHUMNEY: Mr. Marciante, in speaking to the cost problem, in communicating with some people in Maryland who are using the ID card system, we asked them what would they do over if they could reestablish their system. One of the things they said was that they would charge \$1.00 for each ID card that was issued. They indicated that this would cover the cost of the system.

If and when an ID card system were established in New Jersey, what is your feeling towards a charge of a fee for this card?

MR. MARCIANTE: We wouldn't want to see an ID card system put in. They established such a regimentation of people back - and I don't want to get dramatic about this - but back in the days of Nazi Germany, and we're just not interested in having our people with a complete dossier that's completely available to people who are going to be

looking into their backgrounds or their employment records and that sort of thing. So we are not even interested in an ID card system. And to offset the cost of that system by a \$1.00 fee, since we're opposed to the system, we'd be opposed to the fee.

ASSEMBLYWOMAN FENWICK: You have no suggestions for simplifying it, Mr. Marciante, that is the procedures we have now, that would safeguard the children and simplify the procedures?

MR. MARCIANTE: Well, I think from the experience that we've had in New Jersey, plus the testimony that's been presented today, - I think we're in pretty fine shape here.

ASSEMBLYWOMAN FENWICK: I see. Thank you.

MR. SIERGEJ: Mr. Marciante, we have been talking about working papers, which seems to be the topic of the whole thing today. I think one of the big concerns we have, particularly in our urban communities, is the concern for these young people who are the oldest, mature, of six and seven kids who want to go to work to help their families out, etc., etc., and cannot find the opportunity say in the building construction industry. What is the attitude of the unions as to the 18 year old factor? What would the union's attitude be to this thing that we are definitely proposing, it has already been in the woods so far as vocational schools are concerned, to waive the 18 year age factor for an accredited high school graduate? And I feel that we ought to add on to that, for an accredited specialized school graduate. What is so magic, for the present day kid, about the 18 year age factor that the unions are sticking to?

MR. MARCIANTE: I don't think you will find that the unions are the ones who are insisting on the 18 year old, the proviso that they be 18 before they can go to work.

MR. SIERGEJ: This is just what I'm talking about.

MR. MARCIANTE: As a matter of fact, the AFL-CIO nationally, on the vocational education, is the one that was able to work out with the Department of Labor and the Vocational Education Division of our U. S. Department of Education that if a 17 year old high school person was to receive the adequate training in operating machinery, and that sort of thing, that he be permitted at age 17 to go in and operate that type of machine. I assure you that it is not the labor groups who are insisting on the 18 year old proviso, this is through federal law.

MR. SIERGEJ: Well, who is?

MR. MARCIANTE: The Federal Government.

MR. SIERGEJ: The 18 year age factor, are you sure?

MR. MARCIANTE: Yes.

MR. SIERGEJ: It's in the construction business that you cannot hire under 18.

MR. MARCIANTE: Well, I assure you that we had nothing to do with trying to enforce that 18.

MR. SIERGEJ: In other words, what you're telling me is that you would not be opposed to this?

MR. MARCIANTE: Absolutely not. Why should I be?

MR. SIERGEJ: Thank you.

ASSEMBLYMAN KRAVARIK: I have no questions for the witness, thanks for coming, Mr. Marcianti. However, pursuant to his remarks, I would like to request a copy of the Division of Wages and Hours budgetary request to its Department and its Department's request to the Governor.

ASSEMBLYWOMAN FENWICK: Yes, for all the members.

ASSEMBLYMAN KRAVARIK: For fiscal year 1971-72.

ASSEMBLYMAN McDONOUGH: We can get that.

Thank you very much.

Mr. Jerry Miller.

J E R R Y M I L L E R: My name is Jerry Miller. I am the owner of Sally's Steakhouse, Island Park, New Jersey; Past President of the New Jersey Restaurant Association. I feel like a devil's advocate here, inasmuch as I am the first one up who's an exploiter of children, after the lengthy discussions that we have had.

I would like to say that I am a very active member of the Advisory Board of Middlesex County Hotel and Restaurant School, the Middlesex County Vocational School for their food program. I helped set up and am very active in the manpower training programs. I also am very active in the work-school programs.

In the past five years I have had approximately 30 young boys work for me and the only way I will take 16 or 17 year olds, as far as my work or my restaurant is concerned, is if they are on the work-school program because there is too much red tape involved otherwise. I've had approximately 30 boys come to work for me under the work-school program. Out of those 30 boys, 21 or 22 have gone on to further education, 18 have gone on in food service programs. Some of the other boys went into the Army and they did get into food programs in the Army.

I would like also to point out, as President Nixon and our Governors and our Legislators have said, these programs are aimed definitely to the groups in which the highest crime rate, the highest number of dope users, the least amount of employment is offered to, the lowest education group. I believe the President has just come out and asked for an intensified summer work program for children. We in the New Jersey Restaurant Association could offer many, many jobs if the method for getting work permits was much simpler, much more simplified.

I would like to digress for one minute to express a public "thank you" from the Association to Assemblyman

McDonough for his sponsorship, three years ago, of legislation which permitted 16 and 17 year olds to work during certain hours in restaurants where alcoholic beverages are sold.

I would like to say that we police this ourselves. As far as we know - I am sure there have been some offenders of the laws - any law put into being, there are always people that go around the corners. As far as we know, we have had no complaints and no complaints have been issued against any of our members in the food service industry that have come to our attention. And we police this very strongly.

The subject I am covering today also concerns additional job opportunities for youth. As you know, with the exclusion of certain potentially hazardous jobs, a youngster may begin working at a restaurant that does not serve alcoholic beverages at the age of 14 and on a licensed premise at the age of 16. Until he attains the age of 18, he must obtain working papers. We approve of this requirement. However, we believe that the requirement for the minor to obtain a new set of working papers every time he changes jobs is burdensome and unnecessary.

Every time a 14 through 17 year old seeks employment or changes jobs, he must obtain a promise of employment from his prospective new employer and a new set of working papers from some appropriate official in his school district.

May I stop right there and say that my experience and the experience of our Association members has been that in the majority of cases it takes three weeks to get working papers. And when we're looking for someone, we're looking for someone today for tomorrow and not three weeks from now.

This practice is repetitious, time consuming and of little or no value. In addition, on the first go-round, he also needs some form of proof of age, a physical examination,

and a copy of his school records. These prerequisites, on the other hand, do serve a purpose. What we oppose is the State's insistence that a new promise of employment and new working papers must be obtained every time the minor changes jobs.

A young person is, by nature and personality, ever-changing, often moving in new directions. Most of those between ages 14 and 17 are in school, so they can work only part time, except during summer vacation and holiday periods. The switching of jobs is part of the normal development of many young persons.

The requirement that these minors obtain new promises of employment and new working papers every time they change jobs strikes us as cumbersome, unproductive and, for the young applicant, needlessly frustrating.

We want to encourage young people to seek gainful employment, and we should place as few obstacles in front of them as possible. It is not unusual for a youngster to accept a job, only to call the employer a day or two later to state that he will not be able to begin work as scheduled because he was unable to obtain working papers. The reason? There are many. He was unsure of precisely where to go to obtain the needed forms. Or the issuing officer was away from his desk at the time the teenager called. Or there was a mix-up in instructions and the youngster, not too sure of himself in any case, just threw his hands up in frustration. Or the office was closed for the weekend. In other words, every time you tell a youngster to obtain working papers, you are exposing him to confusion and red tape. And while he is completing the lengthy, repetitious process, the job may well have gone to someone over 17 who does not need working papers.

Similarly, employers are less than enthused about filling out promises of employment every time a youngster applies for a position. The food must be served now; the vegetables prepared now; and the potential for becoming a cook or a chef is now -- not several days, a week, or a month later. Because of our ineffective,

inefficient working paper programs, many jobs for youngsters simply go unfilled.

What can be done about it? I know there has been some talk about a computerized system whereby a machine would issue some form of working paper or identification card from the time a youngster attains a certain age. However, this program might fail to develop because of lack of computer funding. Computerized working papers are not essential to put young people to work. It is logical to provide now for the issuance, manually or automatically, of working papers which the young employee can take with him from job to job. The form should be simple and precise. It should be appropriate for any type of job for which the young worker is eligible. No promise of employment form would even be necessary. The employment permit should be distributed by a youngster's teacher at some given stage of his education, or as soon as he has reached the age of 13 or 14. The chief reason that the State requires new working papers to be issued with each new job is to make certain that the minor's new work is not prohibited to his age group. Most employers would be only too happy to send a report form to the State when an under-18 minor begins working for him. That would eliminate the burden now placed upon the young employee while assuring the State full knowledge of where the youngster is working. Think of the savings of time and money on the part of issuing officers.

The present system of issuing working papers creates an unbelievable amount of duplication. With an initial batch of 100 youngsters, 100 working papers are issued. Assume that within six months, 50 of the youngsters change jobs. This means issuance of another 50 permits. Then let's suppose that 35 of the original 100 decide to try something else. Imagine the wasteful, useless repetition, the time spent in duplication and the voluminous, pointless paperwork.

An original employment certificate, with room on the back to provide for periodic medical examination, should suffice.

One last point: there are those who maintain that with today's critical state of unemployment in New Jersey, greater attention should be given to finding jobs for adults rather than minors. We have no quarrel with this premise, but we find that adults often are not interested in the work we offer. In any case, is it not true that today's youngsters are tomorrow's adults? Should we narrow their job opportunities and limit their potential when they're ready to take their places in society, or should we take them off the street corners, out of impoverished areas, away from potential mischief, and into a productive area of self respect and self reliance as they prepare to take their place in the work force?

Members of the Commission, the New Jersey Restaurant Association urges you to simplify the issuance of working papers for the benefit of the potential young wage earner and his prospective employer. Thank you.

ASSEMBLYMAN McDONOUGH: Do we have any questions by the panel?

ASSEMBLYWOMAN FENWICK: You say, at the top of page three: "The chief reason that the State requires new working papers to be issued with each new job is to make certain that the minor's new work is not prohibited to his age group."

It seems to me that it developed in the testimony this morning that there is another reason and that other reason is to make sure that a particular place where that child is to work - although I don't know why we call a 16 year old a child, but we do -- is that that might not be a proper place. We know that there are some restaurants that would perhaps by reason of their clientele or maybe it's just a tough place where you wouldn't want your daughter to work -- of course, I don't really understand how this happens. Does the school superintendent go down to the restaurant and say, "I don't think this is a proper place"?

MR. MILLER: Not that I know of.

ASSEMBLYWOMAN FENWICK: How then do they check? I mean, the point I am trying to get at is, I have certainly gotten the implication on the part of some of the testimony here that the reason for having separate certificates for every single new job was to make sure that that particular place, although in an acceptable category, was also of an acceptable character. Now, if the superintendent - maybe I shouldn't question you on this, but if the superintendent doesn't go down and inspect the restaurant, doesn't go into the homes and make sure that the chore boy is not going to be lured into somebody's home that isn't a proper kind of a home, how is this function of the State performed?

Can anyone answer that?

MR. CLARK: I can give you a specific. Oh, several times, for instance, a bad employment place, the superintendent doesn't necessarily go down, the word gets back, it

gets around.

I can give you a specific of a mother who wanted to stop a boy from working in a gas station. The boy was working in a gas station, nights, and he started to come home with foul language and some attributes that the parents thought that this particular gas station was a bad place for their kid to work and they didn't want him to work there. The parent called up the proprietor of the gas station and said, "Mister, would you please cooperate and send John home, I don't want him working for you. We've asked him not to work there but we haven't been successful, our son won't listen to us. Would you please cooperate and not have him work there?" His answer was, "Madam, this is a free country, if your kid wants to work for us, he's going to work for us, there's nothing you can do about it." They went to the local police and the police found nothing in their statutes that would prevent the kid from working in the gas station - it was a free country, Johnny can work if he wants if the proprietor wants him to work there. But he was able to do something through our certificate system. She called me and I, with the cooperation of the school official, had that certificate withdrawn, thereby prohibiting Johnny's working at that place. This happens time and time again.

ASSEMBLYMAN McDONOUGH: Wouldn't that be the same under the proposed system?

MR. CLARK: Your request was, what does it do and that's what I was responding to.

ASSEMBLYWOMAN FENWOCK: It would be exactly the same. In other words, you can say that through any system, and the ID card would allow the same system. You can correct a situation that proves not to be good, but what I'm trying to find out --

MR. CLARK: Once a place gets a bad reputation, under the current system you know where Johnny's working; under the general ID system, you wouldn't.

ASSEMBLYWOMAN FENWICK: Well, if he had to turn in a report as to where he was working, you would still get that report. In other words, according to this, I mean the employer would send in the work report and we could even have a penalty if he didn't. But I think we've clarified that. In other words, there is no pre-inspection; there is only correction or a prohibition to work there if it has been established that it's a bad place.

MR. CLARK: There is no pre-inspection, no.

ASSEMBLYWOMAN FENWICK: Thank you.

MR. MILLER: One thing is neglected, and I speak of restaurants that serve alcoholic beverages, we are not only on the rocky sea of the child labor law but we are also on the rocky see of Alcohol Beverage Control. And also under the local police department supervision. I know of no restaurant, and I cannot speak for any other business, - I know of no restaurant that employs, since this new law was put in, children to handle in any way, form or shape, alcoholic beverages, and I defy anyone to come out with concrete examples.

ASSEMBLYWOMAN FENWICK: I imagine you might lose your license.

MR. MILLER: I imagine so.

ASSEMBLYMAN KRAVARIK: Mr. Chairman, may I, through you. Mr. Miller, in your industry, at least, are juvenile workers paid the same hourly rate as adult employees for the same job, the same work?

MR. MILLER: The same minimum wage. There is a minimum wage that protects them both ways, adults or minors.

ASSEMBLYMAN KRAVARIK: The point being, therefore, there is no real economic advantage to you in hiring these people but it is primarily the problem of filling the jobs with adults who wish to make a career of that type of work. Is that correct?

MR. MILLER: Primarily, we are looking for the - the food service industry has always been a backward

industry so far as people are concerned. They look askance on going into the industry. And we are trying to get young boys - I speak at many high schools trying to get these young boys and girls to become interested in the food service industry. The only way we can get them interested is to show them that we are gradually coming out of the dark ages, that most of the employers are college educated and not slave drivers or have kids work in the back room, to bring them into our institutions. A great deal has been done through the work-school program.

ASSEMBLYMAN KRAVARIK: I have to commend you, as well as the others involved. I am proud to be a representative of Middlesex County when I know what a fine food service school we have at Middlesex County College.

MR. MILLER: Wonderful.

ASSEMBLYWOMAN FENWICK: How does this work now? Do they go to school in the morning and then come to you?

MR. MILLER: They either go to school a half day or they go to school one day and work the next day. It depends on how you can work it out.

ASSEMBLYWOMAN FENWICK: You work it out with the superintendent of schools?

MR. MILLER: And I know for myself, I usually have two boys working at a time.

ASSEMBLYWOMAN FENWICK: Well now, why is that a simpler system than the other? You say that it's much easier.

MR. MILLER: Because the school handles everything. The school handles everything and we are absolved of any insurance problem.

ASSEMBLYWOMAN FENWICK: That explains something to me. The YMCA wanted to hire some boys and they said, if we were only educational, and they didn't hire them, they got a machine.

MR. MILLER: They're under supervision. We have to turn in reports to the school boards.

ASSEMBLYWOMAN FENWICK: I see. And you find that perfectly satisfactory.

MR. MILLER: Perfectly satisfactory, no problem at all, because these guidance counselors want to place these children.

ASSEMBLYWOMAN FENWICK: How do you think it would be if all of our employment was handled this way?

MR. MILLER: I think it's wonderful.

ASSEMBLYWOMAN FENWICK: How would it be if all of our employment was handled through the school and they took care of all of that?

MR. MILLER: I think that's very fine.

ASSEMBLYWOMAN FENWICK: Maybe what we ought to do is to extend our work-study program.

MR. MILLER: I think the work-study program is a tremendous idea.

ASSEMBLYWOMAN FENWICK: How about that?

MR. SIERGEJ: Well, that's very idealistic but where are we going to get the money. That's always the answer. In the schools you know what the problems are. But I want to bring up one question here, that I think we all ought to be aware of.

Our child labor laws were wonderful things and we want to certainly make sure that we keep them on a firm foundation. But they were put up at the time, as Mrs. Ruotolo said, that sweat shop conditions existed, and so on. But now, through the advent of unions - I hope nobody gets the idea that I'm anti-union because I'm pro to a big degree, but I am anti to certain degrees, like I think all of us are, particular situations that I know of where our young people have been taken advantage of. But, we've got to understand now, just as you indicated and just as Mr. Clark indicated, that we hear, by word of mouth, about poor employers - an employer who doesn't take care of his help doesn't get to stay in business. It's an entirely different turn-around from the time that these laws were established. We have

our own blacklist of employers, if we want to call it that. But I will always give an employer a chance to say, was it your fault or was it the supervisor's fault. But this is part of the whole play toward getting our kids in a positive approach toward employment. Of course, whether it's your business or another's business, there is going to be somebody trying to take advantage of it. Therefore, those who take advantage wilfully should be really nailed to the cross, if I have to use that expression. And if we do a few of those, we'll find out that where we really want to take care of our youngsters they will be taken care of. But again, Mr. Clark, a slap on the wrist, you're a nice fellow, don't do it again, should be out of the picture.

ASSEMBLYMAN KRAVARIK: Mr. Chairman, I have a question, not necessarily of the present witness but of anyone who can answer it for me because this dialogue has raised a question in my mind. Does the Department of Labor and Industry presently circulate to the school districts a blacklist of employers with poor records in the area of juvenile employment?

MR. CLARK: No. You know we have libel laws.

ASSEMBLYMAN McDONOUGH: Any further questions?

MR. MILLER: May I introduce John Moran, the incoming President of the Restaurant Association.

J O H N M O R A N: Ladies and gentlemen, I have no prepared text, but it goes without saying that everybody in this room can view the child labor laws and must view them objectively, with the exception of perhaps one person. You see them, I am sure objectively. All of us are above the age where the law applies to us.

I have here with me two youngsters who can view the law subjectively because they've been subjected to it. One was successful in obtaining a job for reasons that she will state in her favor. The other one was unsuccessful.

I will first identify myself. My name is John

Moran. I live at 18 Cheshire Terrace in West Orange, and I am a restaurateur.

The first person is my daughter Stephanie, who will explain her own story and would be happy to answer any questions that you might have.

S T E P H A N I E M O R A N: The procedure involved in getting working papers --

ASSEMBLYWOMAN FENWICK: How old are you, Stephanie?

MISS MORAN: Eighteen.

ASSEMBLYWOMAN FENWICK: Thank you.

MISS MORAN: The procedure involved in getting a set of working papers is a long one. After speaking with the prospective employer, a person in my town must first go to the town's board of education where he will receive his promise of employment. This is a form asking various questions about hours and wages and it must then be taken to the prospective employer to be signed.

The person must also go to his school where he will have an authority verify his grade and ability to work. The student is also given a form which includes questions and a needed medical history. This form must be filled out by either the school or family doctor. The child's birth certificate is also a requirement.

One can finally return to the Board of Education with his signed promise of employment, the doctor's report, and his birth certificate.

The length of time it took me to get all the necessary information was approximately five hours, and it would have been a matter of days had not certain conditions existed in my favor.

My father had a car and drove me to each stop. It was a school day. Had it been a Saturday, I could not have accomplished anything. Neither the board of education nor the high school I attended nor the doctor to whom I went had any hours on Saturday. Also, the bank which held

my birth certificate was closed on Saturday.

In addition, I happened to be lucky enough to see the doctor on the same day, whereas in most cases one might very conceivably have to wait at least one or two days for an appointment. And this fact often makes the difference in obtaining a job. Many young people lose out on jobs because of the time it takes to receive working papers.

For this reason, I feel that the working paper procedure is a completely frustrating and antiquated one. Consider that, with the exception of the doctor's exam, each step must be repeated each time a new job is wanted. The process is not only a timely one, it can also be costly if a person has to pay for his own transportation and doctor bill. Had my father not taken me from place to place, it would have been absolutely impossible for me to have gotten my papers on the same day as I applied for them.

I strongly recommend that a young person be able to receive one set of working papers to be used until he reaches age 18. With this new method, many of the tensions would be removed. A person could apply for a job and, having his permit with him, begin work immediately. The costly amount of time involved in each step would be eliminated. I can see no logical reason for every step to be repeated each time there is the hope of a new job, excepting perhaps for a yearly medical checkup. As I stated, many young people lose out on jobs because of the working paper procedure as it is presently constituted. A change is needed.

ASSEMBLYWOMAN FENWICK: Have you worked, Stephanie?

MISS MORAN: Yes.

ASSEMBLYWOMAN FENWICK: Where did you work?

MISS MORAN: The first place I worked was in a kitchen in a nursing home.

ASSEMBLYWOMAN FENWICK: What hours did you work?

MISS MORAN: I worked from 7 o'clock in the morning until 3:30 in the afternoon, I think.

ASSEMBLYWOMAN FENWICK: And what were you paid?

MISS MORAN: \$2.00, I think.

ASSEMBLYWOMAN FENWICK: Per hour?

MISS MORAN: Yes.

ASSEMBLYWOMAN FENWICK: When was this?

MISS MORAN: It was two summers ago.

ASSEMBLYWOMAN FENWICK: How old were you then, 16?

MISS MORAN: 16.

ASSEMBLYWOMAN FENWICK: And that was just for the summer?

MISS MORAN: Yes.

ASSEMBLYWOMAN FENWICK: Were there other young people employed there too?

MISS MORAN: Yes.

ASSEMBLYWOMAN FENWICK: Your age?

MISS MORAN: Yes.

ASSEMBLYWOMAN FENWICK: Did you find that interesting? What did you do with the money, put it in the bank?

MISS MORAN: The money? Yes, I was saving it.

ASSEMBLYWOMAN FENWICK: Were there other young people there too?

MISS MORAN: Yes, there were other girls in the same position. They just wanted to have something to do.

ASSEMBLYWOMAN FENWICK: Right. Thank you.

ASSEMBLYMAN McDONOUGH: Any further questions?

Let me thank you very much.

And you have someone else, sir?

MR. MORAN: Let me introduce a boy who was not quite so fortunate. His name is Howard Joseph Cottrell. He lives in North Brunswick. He is 16 years old. He completed the 9th grade and does not attend school. He applied to me on March 31st for a job as a kitchen worker. His application for employment was approved on April 6th, he returned to me for a job on April 7th, and I am sure

I destroyed his confidence in human nature when I told him I had somebody else employed in the meantime, who didn't need working papers because the job needed to be done.

He brought the promise of employment on Tuesday, March 31. He returned with the employment certificate on Wednesday, April 7th. I called the South Brunswick High School to confirm this. And I want Howard to tell his story first and then be given the opportunity to make some slight corrections.

However, Howard was under the impression at that time - I use the term "under the impression" - this is a young 16 year old - under the impression that South Brunswick High School was on half days during that particular week because of a teachers' conference. The teachers' conference is one where the parents come to see their children's teachers and get their progress reports on the children. He was "under the impression" also that the issuing officer was not there to give permits.

I would like Howard to have the opportunity to tell his story.

ASSEMBLYWOMAN FENWICK: What were those dates again?

MR. MORAN: March 31st and he returned on April 7. The permit was issued on April 6th and signed not by the issuing officer but by someone in the office. I checked this out with a Mrs. Valenti who was employed in the office of Roger W. Kline who is, according to this certificate, the issuing officer.

ASSEMBLYWOMAN FENWICK: Thank you.

H O W A R D     J O S E P H     C O T T R E L L: Well, I called up the school on April 1st and I asked the lady if there was anybody there to type out the working papers and she said that it was half days and it was the next week following that. So I misunderstood her and she told me

to come in Friday to fill out working papers. Then when I got there she told me I needed a physical and a birth certificate. So the birth certificate was easy but I had to get a physical. So my family doctor was on vacation so I had to make arrangements for another doctor. So I got that on Tuesday, the physical, and I went in Wednesday for my working papers and she filled them out. Then I went down to the Greenbriar and then Mr. Moran told me that somebody else had taken my job, he needed help and he didn't know how long it would take, they thought it would be earlier than that.

ASSEMBLYWOMAN FENWICK: Have you a job now, Howard?

MR. COTTRELL: No.

ASSEMBLYWOMAN FENWICK: Have you tried again?

MR. COTTRELL: No, I didn't try.

ASSEMBLYWOMAN FENWICK: Why didn't you try again?

MR. COTTRELL: Well, see, I've just been trying.

MR. MORAN: May I add something. Again, because we're dealing here with a youngster and it's confusing for all of us as we go through life. He paid his own doctor bill, not realizing that he could have had a physical examination through the school. However, the doctor who gave the physical examination - there's a question in my mind whether he could have gone to Princeton Hospital at age 16 without any transportation to get a free medical examination.

It appears to me as one thing, the theory of voluminous working papers - and I listened to statements of guise of modernization, this isn't a guise of modernization, this is modernization, this is not 1940, this is 1970. And the youth today ought to be recognized as youth of 1970 and not the youth of 1940.

The reason I brought Howard along is to point out if one set of proper working papers were issued, the ramifications of which the committee can decide upon, - a photograph, a witness' signature, etc. - that's not my

function, but it seems to me that the committee can determine the initial set of working papers which, quite similar to a driver's license, could be carried with the boy for the period and length of time that he's required to use them.

ASSEMBLYMAN McDONOUGH: John, I make one statement, and this is purely a statement, it interests me no end when you talk about these youngsters and this being the modern age. A youngster today can enter the Army at age 17. He can't go overseas now, understand that, but he can in the Army operate a tank, fire a gun, go on the firing range, and the like, and now we are also going to turn around, it appears to me, very shortly, and amend the voting age for our youngsters.

Now I have voted both times to allow this to go to the ballott and again I think it should go to the ballott, although we're getting repetitious now, - every year we're sending something to the ballott for the public to decide on the age when youngsters should vote. One of the real reasons why I hesitate to allow youth at age 18 to vote is that they have no experience. They're coming fresh out of school, inexperienced. Now, I'm going to vote for it. Don't get upset. I'm still going to vote, and the public is going to make the decision, not you or I, we can be part of the decision, but I just think that life holds with it a little cuddling and coddling from age zero to five, and then some schooling from five to eighteen, and then some life experience - getting out on the job, getting out on meaningful jobs now, and then at age 21 we're substantially well aware of what's going on in the world and we start to vote.

Now this is why I would just like to see something done to make more meaningful employment for youth so that when they do become 18 they are better voters, they're more aware of what our community stands for or why it is as it is, the reality of life, not what the book says but the reality of life. So I would like to

see us ease something, not relax it to the point of hurting a child, but ease it to the point of work experience, life, maturity, the things that are necessary as we go on. And if we are going to sway the vote in this country, it ought to be done with some experience.

MR. MORAN: I would like to introduce now the Coordinator of Employment Orientation Programs in the public schools of New Brunswick, to be followed by Anthony Rey, President of the Hotel and Motel Association. And thank you very much.

T E D G E R S H O N: My name is Ted Gershon. I am employed by the New Brunswick Board of Education as Coordinator of Employment Orientation Programs. My office address is 83 Livingston Avenue, New Brunswick. I am appearing at these hearings not as a representative of the Board of Education but as an individual who is interested in the handicapped children and the problems that they have with regard to work.

In evaluating our labor laws regarding youth, and in light of the testimony we've heard here today, we are aware of the barriers presented to the youth under 18 years of age who wishes to secure employment.

I ask that you further consider the problems of the child who is handicapped, either by physical handicap, mental retardation, neurological impairment, or the child of the urban ghetto who could possibly be restrained by a cultural or social handicap. The latter is often a child who falls into the syndrome of the hard core unemployed. The handicapped child has long been faced with failure and has turned to the world of work for a position of importance and of positive experience. He is often limited by his lack of education and background and often accepts a work situation far below his expectations.

In the case of the physically and mentally handicapped, the employer is usually reluctant to consider employing such a person and when the additional

problem of securing working papers complicates this matter the child's problem becomes almost unsurmountable for him.

The retarded and handicapped worker is usually quite competent in fulfilling the obligations of his job. The long-range implications of the inability to obtain employment is one of continual burden to society. The handicapped worker must have assistance and encouragement to aid him in his goal of self employment. A method must be devised to simplify the operation of securing working papers.

The obvious problems presented to a normal child are difficult enough but when the additional handicaps are compounded with this situation it becomes an urgent problem.

Considering any new laws, I suggest that we make special provisions for the handicapped. As we are faced with growing reports of unemployment, urban unrest, we cannot afford to continue to obstruct those young people who desire to make contributions to society. And this certainly includes the handicapped person.

I would also like to say that under the 1968 Vocational Amendments, 25% of those funds have been designated for vocational programs for handicapped and disadvantaged youths.

New Jersey has certainly taken advantage of these funds. It is involved in many programs, one of them being the cooperative education programs that have been mentioned. They are certainly not the answer for every child but they do serve the needs of many of the children.

Another example is Governor Cahill's Career Development Program, which is now in operation in New Brunswick, Camden and Rahway, which provides for a comprehensive vocational program for these youths. As part of that program there is a school industrial coordinator and a job placement counsel. These individuals

help assist the students in finding jobs. Of course, this is complicated because they still have to go through the accepted procedure with the working papers.

Thank you.

ASSEMBLYMAN McDONOUGH: Let me ask you one question. This is something that John hit earlier today, John Siergej, and that was, he talked about the feasibility of local autonomy in making the decision on a youngster's ability to work, and you get into the area of the handicapped child. A protection we could probably put into the law, which is not there now, - the handicapped child can go out, if he falls into certain ages, and take on certain jobs, many of which he may not be able to do, as a matter of fact -- would you see it feasible that we set up a board of review - we're just talking about the handicapped area now - where the handicapped child would go before a board of review to make decisions on job placement and so forth, something such as the principle of the guidance counselor, a placement officer, sit and take these cases? Because there are not that many handicapped children that a board of review couldn't make some decision on the placement of this type child.

I can see where there would be some tremendous abuses, employer abuses, where they take a poor kid who respects the fact that he's crippled in one way or another, so a ruthless employer would just love to get somebody like that where he could pay him 50¢ an hour and tell him to shut up if he wanted to keep the job. This I think is atrocious and I read nothing in our child labor laws that does anything to control this, except the age limit, in regard to the handicapped child.

MR. GERSHON: Under the rules and regulations of the State Department of Education, a child study team must diagnose and classify a child as being handicapped. That child study team would be the ones who would have the knowledge of the child to make such a decision.

Assuming that child study team functions as it should, and we hope that under the education laws it does, they would be in that position.

One possibility might be to have classification of cards. For instance, a partially sighted child might have a certain note on the card indicating his inability to perform certain tasks. This is just a suggestion.

MR. CLARK: Mr. Chairman, this is one of the purposes of the certificate system, you see, that if you have a program in your school concerned with handicapped, you should get the cooperation of your board of education to allow your group to have some control over the issuance of certificates for your pupils. And the purpose of the certificate system, you can qualify your certificates. If you have a handicapped boy that cannot do a certain job, you can put the qualifications right on your certificate.

ASSEMBLYWOMAN FENWICK: And won't it be on his card, if they have a card?

MR. CLARK: But right now they can qualify a certificate.

MR. GERSHON: Many of the handicapped students are no longer in school, though. This is one problem. I mean, a retarded youth often leaves school very early. We have physically handicapped children who never do attend school, they're on home instruction.

ASSEMBLYMAN McDONOUGH: In the same vein, when we talk about the ID card system, where we talked about computerization, if at age 12 he is a paraplegic it's going to go down to Trenton at age 12, and when he transfers from one school to another, I don't care where he goes, if you've got to get the green light from Trenton, your computerization has got the answer and it has it in a matter of seconds. The same way we get information from the Motor Vehicle Department right now. I can find out in 30 seconds anybody's driving record here in the room.

And if I can find this out, it would be nice to know that a youngster could transfer schools but the centralizing of his condition would be on this IBM card, which is just one more tangent to the system.

Any further questions from this Committee?

Thank you very much.

MR. GERSHON: Thank you.

ASSEMBLYMAN McDONOUGH: Mr. Rey from the Hotel-Motel Association.

A N T H O N Y R E Y: My name is Anthony Rey. I am President of the New Jersey Hotel-Motel Association. I reside in Ventnor, New Jersey.

I would like to preface my remarks by saying that I have been in the hotel business for 37 years, having started at the age of 16. I have been employed at the Waldorf Astoria in New York for 25 years; 7 years as the Manager of the Astor Hotel in New York, before its demise; and for the last 7 years at the Chalfonte-Haddon Hall, New Jersey's largest hotel.

As a character reference, I would like to say that I serve as a Director of the Boys Scouts, and I have for 20 years; I'm a Past Council Commissioner. I serve as a Director of the Y.M.C.A, both here in New Jersey and in New York. I serve on the vestry of my church with the Rev. Stanton, who appeared here earlier. So I can assure you that what I have to say is not one of trying to exploit young people.

Members of the Commission: on behalf of the New Jersey Hotel-Motel Association, which serves as the professional voice of our industry throughout the State, I wish to address myself principally to Assemblyman McDonough's bill, No. A-108. We believe it particularly important that legislative action be taken on this measure now in order to open up thousands of additional job opportunities for minors during the upcoming summer vacation period.

A-108 is, we believe, a logical follow-up to a measure also sponsored by Assemblyman McDonough and passed by the Legislature in 1968. The earlier bill permitted 16- and 17-year-olds to work at most occupations in restaurants where alcoholic beverages were served. By interpretation of the Attorney General, the Act (Chapter 61, Laws of 1968) subsequently was held to apply to food service operations in hotels and motels. Since the measure took effect, almost three years ago, it has provided employment for many young people who otherwise might well be jobless. There are limitations on hours and the types of work -- there may be no contact with alcoholic beverages, for example -- and provisions of the bill have been adhered to by all concerned parties.

There remains, however, some difficulty for the many hotels and motels whose premises are entirely licensed. The problem would be removed if A-108 were enacted. The Attorney General's opinion applied only to hotel and motel dining rooms and kitchens. This created a double standard which has proven to be most damaging to hotels and motels as they endeavor to obtain qualified help. As an example, prior to the passage of the 1968 bill, a 16- or 17-year-old could not work as a pool boy or lifeguard at a pool connected with a restaurant holding an alcoholic beverage license; now he can hold such a job. The same boy could not rake the lawn at a similar restaurant; now he can. A 16- or 17-year-old boy or girl could not work in the office of such a restaurant; now he or she can. But because of the Attorney General's ruling, the same 16- or 17-year-old boy or girl permitted to do these things at a restaurant cannot engage in the same activities at a hotel or motel unless it is not licensed to sell alcoholic beverages. In fact, that is the real paradox in this situation. A 14- or 15-year-old could serve in many of these capacities at a hotel or motel that does not sell alcoholic beverages but he would have to be at least age 18 to do the same work on licensed premises and he could

pursue these same jobs at the age of 16 at a restaurant with an alcoholic beverage license.

Many New Jersey hotels and motels are anxious to provide this type of white collar or recreational employment -- office work, desk man or lifeguard -- to 16- and 17-year-olds, particularly during the summer season. As matters now stand, however, the hotelmen at licensed premises may employ 16- and 17-year-olds in food service-connected kitchen and dining room jobs, but cannot use these young people in the type of "white collar" work which might lead at a later date to a promising career in hotel management or administration. This would be rectified by A-108.

I think it should be noted that the only real objection we have heard from anyone on this bill has to do with the public morality issue. Some believe that 16- and 17-year-olds should not be permitted to enter hotel guest sleeping rooms, except as paying guests. We will not dispute that position. For that reason A-108 has been amended to prohibit 16- and 17-year-old employees at licensed hotels from working "in or about rooms containing facilities for guest sleeping." We believe this should eliminate the only serious objection we have heard against this legislation.

Our hotels and motels, aware of the unfortunate state and national unemployment statistics, make every effort to fill jobs with adults, but all too often the adults simply are not interested since most of these jobs are part-time or seasonal, and the jobs go begging. We think many of the positions represent excellent opportunities for youth. We guarantee all employees at least the minimum wage, as provided in Assemblyman McDonough's bill, and often more.

We respectfully urge both houses of the Legislature to enact A-108 before the legislative recess so that thousands of job opportunities for youth will not be lost for still another summer.

In another area, I also would like to offer a few comments about the present system for issuance of working papers. Many of our hotels and motels, like hundreds of thousands of other New Jersey employers, have had occasion to learn first hand of the inadequacies of our employment permit process. Particularly detrimental to the filling of jobs by young people is the requirement that new working papers must be issued every time a youngster changes jobs. All too often, because of the frequent inaccessibility of working paper issuing officers for one reason or another, the youngster must wait too long to obtain the credentials he is required to carry. There is no surer way to lose a prospective job.

It would be much simpler if his school issued him a working paper when he is eligible to take a job. This paper or permit would remain with him whenever he applies for a new job and until he attains age 18. Should he require a physical examination, the information resulting could be included on the back of the working paper. Similarly, his school's permission for him to work, if necessary, could be contained in some appropriate area of the working paper.

At the same time, his new employer could forward information on the new job and certify that the work is in a permitted occupation.

There is no logical reason for him to have to renew the working paper every time he makes a change particularly since most youngsters, by their very nature, invariably will be making changes. To require him to obtain a new passport, in effect, for his every movement is unfair and unreasonable both to him and to the employer who needs his services immediately.

Thank you for permitting me to testify on behalf of the Association. I would be pleased to answer any questions you might have.

ASSEMBLYMAN McDONOUGH: Any questions?

ASSEMBLYMAN KRAVARIK: Yes, I have a question.

You are apparently from a hotel in Atlantic City, is that correct?

MR. REY: The Chalfonte-Haddon Hall.

ASSEMBLYMAN KRAVARIK: Do you find that there is a large number of seasonal employees hired by the restaurant and hotel and motel industry in Atlantic City and in shore communities?

MR. REY: It's more than seasonal, it's sporadic, because it can happen at holidays, it can happen on long week-ends, and it happens, of course, a great deal during the summer months.

ASSEMBLYMAN KRAVARIK: What happens if a kid from outside the area comes down with his family for a summer, the resort areas, and he finds a job when he gets down there? How would he go about this?

MR. REY: Well, he has to register in our city, first of all. We have a registration. And he would go from there. He would have to go back to his school in order to get permission.

ASSEMBLYMAN KRAVARIK: In other words, if he wanted a job in Atlantic City because his parents were down there for the summer, and he was from Middlesex County, he would have to go back to Middlesex County.

MR. REY: But we would normally try to employ youngsters locally; we don't try to take people that far away.

ASSEMBLYMAN KRAVARIK: Thank you.

ASSEMBLYWOMAN FENWICK: What hours do you employ them? We've heard that sometimes it's a 10 hour day and a 60 hour week.

MR. REY: Well, I'm awfully sorry but we wouldn't be able to do that. They are well controlled by unions and other things. We can't do that.

ASSEMBLYWOMAN FENWICK: What hours do you employ them?

MR. REY: Our employees normally work a 7 to 8 hour day.

ASSEMBLYMAN KRAVARIK: Does that include a lunch break of any kind?

MR. REY: No. Normally their lunch break of a half hour is separate and apart from the hours.

ASSEMBLYWOMAN FENWICK: And is there any time at night when the young people have to go home?

MR. REY: We try to keep all of our young people that work for us on a schedule that would get them off the hotel premises by nightfall, whether it be winter or summer.

ASSEMBLYWOMAN FENWICK: By nightfall?

MR. REY: That's right.

ASSEMBLYWOMAN FENWICK: You mean, you don't keep them till midnight?

MR. REY: We don't like to keep them till midnight if we can help it.

ASSEMBLYWOMAN FENWICK: Is this usual in the industry?

MR. REY: I think so. Most of these young people would be used in areas that would be a daytime activity, in most cases.

ASSEMBLYWOMAN FENWICK: Would it be a harm to the child's opportunity for employment if that were made part of a regulation?

MR. REY: No, I don't think so. It might handicap some hotels. I don't know whether it would or not but it might. I've worked all hours in my life and, as I said, I started when I was 16 and I continued my college education and became a professional. It never hurt me.

ASSEMBLYWOMAN FENWICK: Did you work while you were in college?

MR. REY: Yes, I did.

ASSEMBLYMAN KRAVARIK: To your knowledge of the juveniles who work for you, through your personal

experience, - it would seem to me that in the restaurant trade --

MR. REY: I might say, I don't have any. Legally, I cannot have any. I'm sorry.

ASSEMBLYWOMAN FENWICK: Can't have any what?

MR. REY: We cannot have any youths between 16 and 17 if we have an alcoholic beverage license.

ASSEMBLYMAN KRAVARIK: Do you know, as a representative of your industry, whether the common experience isn't for the juveniles that do work into the evening hours - and I assume it's a necessity because if you need bus boys for a banquet, they can't bus until the banquet is over, and I don't go to many four o'clock in the afternoon banquets, myself - but in this whole hearing I haven't heard parents mentioned very much. It would seem to me - isn't it customary for parents of a juvenile worker to pick them up after work if they have to work in the evening hours, eight, nine, ten or eleven o'clock at night?

MR. REY: I pick my youngsters up.

ASSEMBLYMAN KRAVARIK: I'm sorry, I put you on the spot.

MR. REY: I have one 16 year old. My older children are now out of that category but my 16 year old who was employed last summer, I made sure that she was taken to work and picked up.

ASSEMBLYMAN KRAVARIK: I would assume that sometimes it would be by an older boyfriend, perhaps. But I am really disturbed that this should be a problem. I can understand it in some areas but certainly we shouldn't overlook parental responsibility in this whole area.

ASSEMBLYMAN McDONOUGH: There's probably a lot less parental stringency exerted by out dating than there is coming home from work.

MR. REY: I think the danger of drugs and other things of that kind are even worse than employment today.

ASSEMBLYMAN McDONOUGH: I think of this in the same way. I think there are probably a lot more violations in the purchase of alcoholic beverages under the age of 21 than there are violations working in restaurants where alcoholic beverages are served. We've only had 60 or 80, I think, - I've forgotten the figure that Mr. Clark used - we have an awful lot of violations in the Alcoholic Beverage Control Commission.

Are there any further questions?

MR. REY: Thank you very much.

MR. McDONOUGH: Thank you.

I would like to ask the lady from the Princeton Youth Employment Service to come up.

M R S. F R E D E R I C F O X: I am Mrs. Frederic Fox, 28 Vandeventer Avenue, Princeton, New Jersey.

The Princeton Youth Employment Service is celebrating its 10th anniversary this year. Over the past years we have had approximately 10,000 job orders. Ninety percent of these have been from private employers rather than business or industry. Most of them have been in the category of yard work, leaf raking, mother's helper, light housework, handyman, snow shoveling. Most of these are on the basis of once a week or once a month or for a period of two weeks or three weeks. For each of these jobs, or most of these jobs, working papers are required by law.

In spite of a great deal of information done by our local youth employment office, work done in the schools to disseminate this information, I am quite sure that in very many cases working papers have not been obtained.

We have also had several children who have not gotten jobs because they were unable to get the working papers in time. Snow melts, in most cases, in less than three weeks. Also, some of their jobs, by their very

nature, had a short time area, and the employer could not wait for the young person to get working papers.

Therefore, we are very much in favor of having a work certificate rather than working papers for each individual job.

ASSEMBLYMAN KRAVARIK: Do you have any statistical data you could give us, the number of children you have placed and the number of lost jobs because of the working paper situation?

MRS. FOX: We have no statistics on the number of jobs lost because we feel, in many cases, the jobs are done but the working papers are not gotten.

ASSEMBLYMAN KRAVARIK: Thank you.

ASSEMBLYWOMAN FENWICK: You think, in other words, the children are working illegally?

MRS. FOX: I'm sure they are. I feel that the law, as it is now, is unenforceable. And we do disseminate this information to the best of our ability.

MR. SIERGEJ: In this area, landscape work, and so on, I think we ought to review - maybe the Commission ought to consider - I don't think we've discussed this area of running power lawn mowers. I think there is plenty of information saying this is a pretty hazardous type of operation, even whether 16 or 17. Of course, they can't run them unless they're 16. But I would be definitely in favor of more stringent regulation of that particular phase of landscape work because we have the facts, Mr. Clark?

MR. CLARK: Yes. One or two kids a year lose a finger.

ASSEMBLYWOMAN FENWICK: I never let a child handle a machine, just on principle. I feel if they stay from the machine, they would be better off. But the problem really is - I've known of families in trouble and boys who needed work, and I was told by the minister that they needed work, and then when I said I wouldn't employ

without working papers, they just never turned up.

ASSEMBLYMAN McDONOUGH: That's an area that concerns me right now. I have a daughter at Elmira College and a son going to Lehigh next year. This is a total of \$8,000 after taxes. I think at the time Senator Williams voted against a tax relief here I said that was great but now that it's affecting me, I think it's terrible.

But I would much prefer if my son could take full employment, particularly in the construction industry where they're paying up in that \$5.00 bracket for common labor. It would certainly be a great relief to the family that has this problem. I don't have it as bad as many families. But with our crowded college situation in New Jersey and the inability to get into Rutgers and these low cost colleges, they must step into schools that are extremely expensive and they are being handicapped on these employment areas. We must look at these definitions and see that they get into more gainful areas.

ASSEMBLYWOMAN FENWICK: How long have you been in YES in Princeton?

MRS. FOX: Six years.

ASSEMBLYWOMAN FENWICK: Well, you've had some experience.

ASSEMBLYMAN McDONOUGH: Mrs. Fox, is there someone else from your organization who is going to speak today?

MRS. FOX: Yes.

M R S. O W E N C O O P E R: I am Mrs. Owen Cooper, 63 Knoll Drive, Princeton.

I don't know that I have too much to add other than to say I think sometimes we lose sight of the fact that many students are doing this because they need the money and are putting it away for their further education. And, if this goes for Princeton, it goes far more for

other places in this State. And I think we should be aware, at all times, that these children have a reason for the money that they are making.

As far as our students, which are mostly high school students, it comes down to the point in the summertime that they can't get full time jobs because college students are taking them so, in order to get the money they need, they must take one day a week gardening work or one day a week mother's helpers, where they will have three or four and it will be equivalent to a full time job.

I don't worry as much about them getting the working papers as I worry about the employers when they hear this. I can't say that they complain. What I say is that they just withdraw the order. And we have no idea how many do withdraw an order because of this, because it seems silly to an employer - they'll say, oh, I'm going to have a girl in four times, or a boy in four times, - never mind, I'll get a kid in the neighborhood. So jobs are lost and money is lost to kids who realistically need the money for further education or, more realistically, in other areas than ours. And I think this getting a paper for every job certainly is holding back the children who do need it.

MR. CLARK: I just want to say one thing. I am very familiar with the Princeton YES, I helped organize it. It's one of the first in the country and they've done a wonderful job for youngsters. They've placed kids in more than 60,000 or 70,000 occupations. But somehow some of what we originally set up must have gotten lost because the one day thing, casual employment, the snow shoveling job, the thing they send a boy out on one day a week, the yard cleaning, doesn't need a certificate.

MRS. COOPER: No, but I think you're missing my point. What happens is, it used to be more like that originally; now I find that we get many more jobs that

are, instead of gardening- I want a boy for two hours; I want a boy one day a week, it will start now, through the summer. And for that they must have a working paper. And the student will - if they can line up four or five jobs like that if they can't get a full time job - will figure that will take care of that.

MR. CLARK: Oh, I misunderstood you. You're not talking about the one hour job or the one day, it's a steady job you're talking about.

MRS. COOPER: In other words, that student, if he has five jobs during the week, must have five promises of employment and some of the employers will pull back, and some of the students will pull back too.

MR. CLARK: But if it's a casual job, it is not needed.

MRS. COOPER: I would say that nine out of ten that will call in for garden work or mother's helper work will be at least once a week continuing through the summer, and they must have a promise of employment for every one.

ASSEMBLYMAN McDONOUGH: Let me ask you a question since you're from the Princeton area and I know that the people in the Princeton area do use the Jersey Coast for vacationing, - how many parents apply for babysitter work papers for the six weeks they go to the shore?

MRS. COOPER: Unless we remind them to, I don't think they do.

ASSEMBLYMAN McDONOUGH: In other words, almost none.

MRS. COOPER: Right. Employers have to be reminded. And you know, I think we're talking about something other than youth employment. I would say at least half of the students that are doing gardening in Princeton are getting the jobs on their own, and so often we've had employers call us and when I say, "Do you know they have to have working papers?" they have absolutely no idea they do, they're just hiring a neighborhood boy. That's

at least half of the jobs that we don't fill.

ASSEMBLYMAN McDONOUGH: That goes back to one of the original statements, the ignorance of the public in this area of child labor, so that maybe something in the school system would be smart, at least the children would know they would have to have it.

MRS. COOPER: Right.

ASSEMBLYMAN McDONOUGH: Are there any further questions?

Mrs. Justin Brafman.

M R S. J U S T I N B R A F M A N: I am Mrs. Justin Brafman, New Jersey State Legislation Chairman for the National Council of Jewish Women, which has 10,000 members here in New Jersey. Council has, for over 75 years, worked for the protection and betterment of those who are least able to fend for themselves, starting with the great immigrant migration of the later 1800's when the Federal Government invited Council women to meet the incoming ships and see to the welfare of the young women and children who were arriving with hope their only asset.

The sweat shops and the exploitation of children soon forced us into the vanguard of those who worked for the high level of protection necessary to reverse the dreadful working conditions of those days. Since we try always to find the unmet social needs of our day, during the last several years we have found ourselves in the vanguard of those concerned with the employment opportunities of our young people and especially the disadvantaged. Our members have been part of the interracial and inter-religious group which interviews job corps applicants both before and after their training; we have also started many youth employment bureaus in the suburbs. Therefore, we have a very good view from both sides of the employment coin.

We know that New Jersey presently has one of the finest systems of protection for youth in the country. We

also know that at times it is cumbersome, bothersome and is circumvented. Does that mean it should be discarded? We do not feel so. The proposed issuance of an identification card to a 12 year old youngster which would then enable him to go to work - only after which his job would be scrutinized for suitability and safety - would, in our opinion, be retrogressive action. Just because this is more or less being done by some employers right now does not mean we should rewrite the law to fit the easy way out.

We know from our own experience that sometimes there are untoward delays between signed promises of employment and the issuance of working papers. We respectfully suggest that a blank license to a 12 year old is not the answer, but streamlining of present procedures and better training of the issuing personnel might be. Furthermore, we suggest that more study is needed to find improved methods. We are not necessarily for the status quo but we are definitely not in favor of the proposed legislation because we believe it loses sight of the goal we should all have in mind, not just eliminating some paper work for a prospective employer, or employee, but to see to it that when our children are gainfully employed they are working in safe and suitable jobs.

We believe that this Commission, with its high level representatives from so many walks of life, is well able to come up with a better mouse trap, and we urge you to build it, streamlining procedure coupled with maximum protection in the best interest of our children who are, after all, the future leaders of our country.

The National Council of Jewish Women with its sections, also known as chapters, throughout the State, will be happy to offer its services in volunteering to survey local conditions or in any other way we can be of possible assistance to you in obtaining information.

ASSEMBLYMAN McDONOUGH: Thank you very much.  
Are there questions?

ASSEMBLYWOMAN FENWICK: I would like to ask you, You heard from Mr. Clark that this gas station was most improper.

MRS. BRAFMAN: Yes.

ASSEMBLYWOMAN FENWICK: In other words, the system that we have now does not stop a child from going into a gas station where his mother doesn't want him to be. And certainly I don't think anybody says that you give a child an ID card at 12 that would open employment of all kinds. I would imagine, if you give an ID card to a child of 14 that would state that was his age and certain employment would be legal and that would be the only employment that was legal for. Then when he's 15 he gets something that shows if there's a change in jobs, or 16, as we have now. In other words, the thing that I don't understand is, we can see from the testimony this morning that the system that we have doesn't stop a child from going into a rough place provided it's a category which has been approved. Why couldn't the same thing operate with an ID card?

Suppose you gave an ID card to a child of 14 that has certain categories of employment that were legal for that blue card, and then you discovered that he had gone into a rough place like the gas station, the same power to remove him from that could be written into the law.

In other words, I don't see where we would necessarily, if we removed some of the problems of paper work, have to do away with all of the protections. That's all I'm saying.

MRS. BRAFMAN: I wouldn't disagree with you. As a matter of fact, sitting here this morning I wondered to myself, The legislation which is proposed is for a 12 year old and I wondered to myself how I would feel if you proposed that a 17 year old be issued one card and that individual cases be decided for children under 16. I wondered whether I would have the same attitude, but

I'm frankly not sure. I can only comment on the legislation that's been proposed.

And further, I would like to say one thing because of what I heard this morning. I am also on the Board of the Occupational Center of Essex County, which is an evaluation and workshop for handicapped young people. And I frankly would like very much not to see some board passing on the qualifications of the handicapped persons because I notice that at the workshop, on which I have served for many years, very often our Council will obtain the job and our youngsters are not trained or able to take the job but in three or four weeks, we ourselves, at our workshop devise the proper training material and the proper training method and will train that youngster within three or four weeks, who was badly handicapped, with an IQ that's well, well below normal or else he would not be in an occupational center of the type which we take care of. And in three or four weeks, by counting devices, because he's not able to count, - our people are very devoted and will contrive themselves and invent themselves and will be able to train a youngster within three or four weeks sometimes to take a job which I think an impartial council would possibly say, I'm sorry, he could never count out 8 pieces of toys to go into each bag. But this can be done. So I would hate to see a blanket evaluation.

I do not have this written but in listening to this testimony this morning, I would like to bring out this point because I have seen some remarkable things with training of very badly handicapped, mentally retarded, cerebral palsied young people, and they are trained to do things you would never think they could do.

ASSEMBLYWOMAN FENWICK: Absolutely. And the Shelter Workshops, I think, have done a great deal.

MR. BRAFMAN: Of course, there is a provision for shelter workshops, which I'm interested in as well.

ASSEMBLYMAN McDONOUGH: One of the areas that we have seemed to hit a couple of times but it has not been very well explained is that area of working 10 hours a day, 60 hours a week, at age 12. That's allowable under the present law. Now this means that they can carry hundred pound sacks of potatoes all day long for 10 hours a day, six days a week.

MRS. BRAFMAN: How did such a thing pass originally?

ASSEMBLYMAN McDONOUGH: Well, I imagine there were some amendments to the original law. But this is the law today. They can climb cherry trees to pick cherries, and so forth, as long as it's farm work, for ten hours a day under the present regulation, six days a week.

MRS. BRAFMAN: Well, I very carefully stated that I am not for status quo in either direction. I don't think we have the absolute best system, but I can only comment on the legislation which was proposed and I and my group and many thinking people would not like to see a 12 year old issued an identification card which would allow him to take a job which was offered.

ASSEMBLYWOMAN FENWICK: Any employment.

MRS. BRAFMAN: Right. I would be against that. A different age category - if this were proposed I would be happy to comment on it, but I cannot.

ASSEMBLYMAN McDONOUGH: You have to understand that the original bill was written broadly to give us a starting point.

MRS. BRAFMAN: Well, let's hope it's not the finishing point.

ASSEMBLYMAN McDONOUGH: Are there any further questions here?

Mr. Joel Jacobson is not here, is he? Then I will turn the meeting back over to the Consumers League. They have four speakers here.

MRS. RUOTOLO: Miss Mary Dykeman. Miss Dykeman is a former President of the Consumers League.

M A R Y D Y K E M A N: Mr. Chairman, ladies and gentlemen, my name is Mary Dykeman. I live in Orange. I am a member of the Executive Board of the Consumers League of New Jersey, and when this bill was written I was Chairman of a committee that worked for it. In that way I had the opportunity to get to know the author who was at that time Sam Ferster, Assemblyman Ferster, who later became a Judge, and many other members of the Legislature and community leaders who were working for this law. In that way they shared their thinking with me which was an educational opportunity for me. And ever since then I have followed the law with great interest. I often met with Mr. Ferster after he left the Legislature and he himself considered it the most important thing he ever did in the State of New Jersey in his long career in public office. He died, as some of you may know, recently, and just shortly before he died he said, "Please never let people think I was the author of this law; I was the official author only; I didn't write it; my greatest contribution, I think, was that I knew enough to know what I didn't know. I sought the most expert information in the country and they helped me to draft the bill. If it's good, it's because someone else told me how to do it." And his advisors, who came from the United States Children's Bureau and I came to know them too.

Ever since then, first the Children's Bureau and later the Bureau of Labor Standards, or the standard setting agencies, have continued to study the problem of children. Actually the Children's Bureau had been doing it for ten years before this law was written. They collect information about what works and what doesn't, in such laws, and digest that and then make it available to all the states so that we don't have to repeat each other's

mistakes all the time. This is one of their very valuable services.

I've heard several people here say they felt this was one of the best laws in the country. I do too. I don't think it's a perfect law but I do think it's one of the best. And I say that because its features conform most closely to the most recent recommendations from the Standards Bureau and others.

I believe you already have heard about the guidelines. This paper is out of print but perhaps you can get some copies of it, or make some. It was published in 1958 and it's a set of standards drawn up by a committee appointed by a man whom some of you may remember, the late James Mitchel of New Jersey who was then Secretary of Labor. He invited about 17 organizations, national organizations, to put delegates on a committee to undertake this job, and this is the result of their work. It's very good and very brief.

With it, the Department published a leaflet on the employment certificate system, explaining that in more detail, and that's been so useful it's been reprinted.

These are the reasons I would disagree with those of you who speak of this law as out of date. It's old but that doesn't mean it's out of date any more than the workmen's compensation law is out of date which was written in 1911. It has been kept up to date and its provisions were farsighted enough when it was written. So some of the old ones are still good. That doesn't mean it's not good.

I think that the employment certificate is the best system I have ever studied, and I've studied a good many. But I would suggest, in considering the suggestions made to you, the one rather useful way of deciding whether they're worthwhile or not is, in the first place, are they included in the recent recommendations of the Bureau of Labor Standards and, if not, why not, because the suggestions that are omitted from this are just about almost as

significant as those that are in it.

For instance, I see in the legislation proposing the ID card the statement describes it as an entirely new system. It's not a new system to me. A good part of it has been tried before and given up because it didn't work well, that is the idea of giving a general employment certificate to a child of 12 or 14 or whatever age you do and then leaving him to go out and get a job, and he and his employer will decide whether it's legal or not at the time of employment. There would be, I know, warnings on it, quite lengthy and strenuous warnings which I should think would have to be in pretty small print on a card of that size and this might be overlooked the way small print on insurance policies is sometimes overlooked. At any rate, it would be there. But threats and punishment have never worked very well in enforcing child labor standards. A far more satisfactory way is proved to be what the employment certificate does which is to make it possible for the schools to prevent most harmful employment before it starts because the child must go to the school and consult them each time he takes a job. Actually, it has worked very satisfactorily that way.

And another fairly practical reason for it is that prevention is less expensive than cure, and this preventive method is a more economical way of enforcing the law than any other I've ever heard.

I listened to the discussion here today with great interest. Some of those people who spoke of the delays in getting working papers - I think probably they should all be investigated and find out what happened. In my town and in other towns, and I've talked to issuing officers all over the state over the years, it can be done quickly and, if it isn't, either somebody doesn't understand or there are occasionally reasons for delay.

I give you a story I got from an issuing officer some years ago, to whom I had talked, who had held up

the employment certificate for a boy. He was to work in a bowling alley. He had given him a certificate to work and then he found that the boy was doing very badly in school, he fell asleep in school. So the issuing officer, who was the Principal, talked to him and said this can't go on and either you should leave school or you should not work so much. Well the boy said he had to do some work and they withdrew his certificate and issued another, a limited certificate saying that he could work weekends only, not during the week, and that gave him a chance to work when the employer wanted him most. It also meant that he got the sleep that a growing boy needed and the last I heard he was on the way to graduate which was what he aimed to do. He was quite a big boy. He was 17.

That same thing can be done for the handicapped. I didn't hear all the lady said who spoke about the handicapped. That's another reason, sometimes, for holding up a paper. Not all children are in perfect health, he has been sick or he has a running ear, he needs eyeglasses, he needs his teeth fixed, and I have known issuing officers quite often to say I will give you your working papers after you get your eyeglasses that the doctor says you must have. This is one way of getting children to do things.

But those are, I would think, legitimate reasons for delay which a child usually will accept, although sometimes they're pretty impatient.

As to this question of making jobs for children, I am convinced that there are few less effective ways of making jobs for children than lowering the standards of child labor laws. You could increase labor that way. I saw it done during the war. I served on the commissions that relaxed the laws so that children could be taken out of school and put to work for much longer hours than would ordinarily be permitted to relieve a war time labor shortage. They worked in war plants and they worked in agriculture and they helped very much to relieve that. But there was a

sad side to the story. A great many were hurt or injured in health. And the war plants - I met a good many of the managers of them - just couldn't wait till the war was over to get rid of what one man called "those crazy kids", meaning 16 and 17 year olds whom he was having to employ for the first time in his experience and found them "a pain in the neck" as he said. Now, I said, "What is it that they do?" I was trying to find out. Oh, he said, "they're always laughing, they're joking and the jokes aren't a bit funny." He said, "they think they're funny, and then they forget their work." This moment of inattention which is very prominent in adolescents. I found this one of the big reasons why war plant managers really didn't want them and was so glad to get rid of them as soon as they could. As a matter of fact, they had such an unhappy experience that many of them who could employ 16 and 17 year olds now won't hear of it, no, they remember the war. And yet you can't ask them to. An employer has a right to take adults if he wants to.

But to make jobs, it isn't possible. You can give a child the right to take a job away from an adult and in the present situation that's one of the really destructive things that might happen. We have, the last I saw, 7% unemployment in New Jersey. There are men walking the streets looking for jobs who would be glad to get some of these jobs that I heard today talked about for 16 and 17 year olds. Now it's more important for older people with families to have jobs when you have unemployment and I ask that in anything you do you be very careful not to make the unemployment situation worse by encouraging employers to get children, who are usually cheaper than adults, and leave the adults out.

I think you have all these things here (indicating). I understand Mr. Moore has them. But I brought this, which I thought might interest you - it's an old leaflet, it was published when this law was being considered in the Senate.

It describes the principal provisions of it and also the conditions that existed just before it was enacted.

ASSEMBLYWOMAN FENWICK: May we keep this?

MRS. DYKEMAN: You may keep those, indeed. I have several of them.

It's interesting to read it because it shows that those in the Legislature were concerned about many of the same things you are, to stop child labor that interfered with education. Too many children were dropping out of school. Many were dropping out at 14 and less at that time, legally. They wanted to put a stop to that; they wanted to keep them in school longer; they wanted to put a stop to an appallingly high accident rate; and at the same time to make jobs in reasonable safety available. But they tried, I show you, very hard and it would seem to me they produced what is actually, according to the standards, one of the best laws in the country, although still not perfect.

In view of all this talk about delays in working papers, I hope that one of the things the Committee will study will be just that. Why are these delays? because they're not universal, I assure you. I asked my own issuing officer in Orange, just the other day, when I heard this, I said, "Are you having any trouble with this?" "Oh, no. Oh," she said, "I do hope they're not going to change it. We like it so much." It works beautifully there.

I talked to my newsdealer and he uses regular employment certificates, by the way, for his boys. "Oh," he said, "those are a great help," and he said, "I wouldn't want to employ children if I didn't get an employment certificate because that tells me what I need to know to be sure the work is legal and to be sure my insurance will cover it."

Many employers have said they want it. And when I read the ID card plan - I know it was not intended to reduce employment opportunities, I think it's entirely

possible that would be one of the results, the unforeseen and unintended results, because employers would have to do all the work to make out those forms that the school now does.

Now it has been quite easy for an employer. He gets a rather simple sheet of paper which tells him that this child can do this particular job as defined there. If a child has a physical deficiency, that's written into it, that there are limits to his health, and the employer gets better prepared for him and it makes it so he will employ children with confidence with that little paper. It does a good deal more than just that one thing, though. It covers the federal law too, and it was designed for that purpose. So the employer knows that this child can be legally employed by both state and federal law.

And then, if the child gets hurt, and a very sad number of children do get hurt in employment, that certificate is conclusive proof for the employer that the work was legal at the age described in it. And to many employers, that's one of the most important things in it. They don't want to be caught employing children illegally and they won't take the chance. That's why I think the ID card would reduce employment. I don't think they will take the chance because they themselves have to take the responsibility of making out an employment certificate, as is proposed - not in the bill, by the way, but in the statement and, I take it, it was intended to be in the bill - and interpreting a law which they may not know very well. I think several employers in my neighborhood now employ children quite satisfactorily but they don't speak English very well. Some of them didn't have much education, and they don't want to take the responsibility of making those decisions but if the school will make them, as this certificate does, they can always have good jobs for young people.

The other thing that I would like to say about the early days is that this law was not written alone, to operate alone, it was part of a code of laws for children. It was a companion bill to the school attendance law. On that slip I gave you, you will find it was - there was one 74 A and B - one was a child labor law, the other was a school attendance law. They separated them because the child labor law, being a labor law, was to be enforced by the Labor Department in cooperation with the schools but the Labor Department had the final responsibility, and the schools have the final responsibility about school attendance. But they go together. One says they go to school up to a certain age and the other, you may not work either in school hours or under any conditions that would interfere with your schooling, and the school was made the judge of that.

Several people have asked why parents don't have to be consulted. Well, not all children have parents; not all parents are competent to advise them very well; there are some rather cruel parents, as we've learned lately. But there is no reason why a school can't require it. Newark, for instance, has always required parent's permission. There is nothing in the law to prevent it. It's just that the authors left out everything that they could that they didn't feel was absolutely essential, and left the way open to add others. They also made it, as you know, no charge to the child and that I think is really very important, to make it easy. It should be made as easy as possible to get it within reasonable limits, but it must fit the workmen's compensation law too, and it must fit the federal law too. And I think some of the people speaking here today may not have realized that there is a relationship between those which has to be considered.

Cost is also a thing that looks to be quite appalling under the ID card plan. This little printed sheet

of paper is a very inexpensive thing. I would like to see the Department of Labor have a computer, if the State can afford to give it to them, that would review those certificates more quickly than they can be done by hand. I believe the Department's computer is just too busy, so you never get near it. One of their officials, to whom I protested the other day - I said, "Where is your report? I've been waiting for it for months." Well, he said, "When I didn't have to do it by computer, I got it out in February but now it comes in November because I have to wait for the computer." Now that's just that there aren't enough computers and the State hasn't been able to afford to give it to them. But if they could have one that was available for reviewing them, I think that would speed it up a bit. But I suspect, from what I hear, that the holdup is with the issuing officers, in considerable part. I hate to say that because I know some grand issuing officers, really awfully good, dedicated people. They get volumes of these at one time so there are delays. But it may be that the issuing officers need some more help or some clarification of misunderstandings.

I won't go over the rest of the things I had because, if you're as hungry as I am, you ought to go to lunch. But I thank you very much for letting me come here today to testify.

ASSEMBLYMAN McDONOUGH: Thank you.

ASSEMBLYWOMAN FENWICK: Thank you, Miss Dykeman, for coming.

MRS. RUOTOLO: I have Miss Kay McCarthy.

KATHERINE MCCARTHY: Mr. Chairman and members of the Committee, I promise you I will be brief. I'm Katherine McCarthy. I live in Elizabeth and I serve on our Mayor's Commission on Human Relations and I am a sub-committee, which is concerned with business and employment.

I would like to speak to the evils inherent in the employment of 16 and 17 year olds in restaurants. The

temptations which are open to unexperienced people who work around patrons who are being served intoxicating liquors. As we all know, the bus boys and bus girls often drain the glasses on the way to the kitchen.

These temptations, in my opinion, are an intolerable burden to put on youngsters without experience.

I considered my responsibility as a concerned and involved citizen to support legislation to render adequate protection to the youth, especially to the 16 and 17 year olds.

A secondary but important consideration relates to the health of the community for all citizens, youths and adults. We in Elizabeth believe that we have had considerable success in keeping our city cool through periods of school holidays and long vacation periods. When children of 16 and 17, after midnight, - because if they work till midnight they don't get home at midnight, and sometimes they need to seek transportation in periods of limited bus schedules, and we think that this renders a responsibility and an injury, in some instances, to adult citizens as well as the children. And I think that many of our citizens may be subjected to grave difficulty because of groups of children walking the streets after midnight.

Therefore, I respectfully submit that the amendment to allow this is not in the best interest of the community, both adult and youth.

Thank you.

ASSEMBLYMAN McDONOUGH: A question, Miss McCarthy. You made a rather strong statement, "we all know that they drain glasses." I don't know. Do they do this in Elizabeth?

MISS McCARTHY: I don't know.

ASSEMBLYMAN McDONOUGH: Then why do you make the statement? It's a rather strong statement. I don't know that they do.

MISS McCARTHY: May I correct that. I didn't mean it as a statement but as an observation.

ASSEMBLYWOMAN FENWICK: Have you observed this?

MISS McCARTHY: Yes, I have observed it.

ASSEMBLYWOMAN FENWICK: In Elizabeth?

MISS McCARTHY: No, in suburban areas, particularly in places where there are college students in a suburban area employed largely.

ASSEMBLYWOMAN FENWICK: Well, college students, my dear, what are we going to do about college students? We can't begin policing them.

MISS McCARTHY: I don't think you can draw the line past 16 on the temptation to do this.

ASSEMBLYMAN McDONOUGH: If they do this in restaurants, do you think they do this at home too?

MISS McCARTHY: Yes, I think so.

ASSEMBLYMAN McDONOUGH: And would you correct it by now allowing them to park cars or cut lawns or shovel a sidewalk in a restaurant if a job were available?

MISS McCARTHY: No, I don't think it would be the same.

ASSEMBLYMAN McDONOUGH: Well, it's under the same law.

MISS McCARTHY: But they would not be subjected to the same temptation.

ASSEMBLYWOMAN FENWICK: How old do you think somebody ought to be before they can work in a restaurant?

MISS McCARTHY: Well, we're talking about the 16 and 17 year olds working to midnight.

ASSEMBLYWOMAN FENWICK: Well, how old do you think they ought to be before they can work in restaurants?

MISS McCARTHY: I wouldn't make a statement on that. But I say, working until 12 o'clock, midnight, in a restaurant is what leads them to get home --

ASSEMBLYWOMAN FENWICK: I understood what you said, but I'm asking you when do you think --

MISS McCARTHY: I'm not in a position to say how old a child should be.

ASSEMBLYWOMAN FENWICK: You have no opinion on that.

MISS McCARTHY: No, I have no opinion on that.

ASSEMBLYWOMAN FENWICK: I see. Thank you.

ASSEMBLYMAN KRAVARIK: In all deference to Women's Lib, I wonder if we could hear from a gentleman who has been apparently waiting patiently for a long time for the opportunity to speak.

ASSEMBLYMAN McDONOUGH: Mr. West?

ASSEMBLYMAN KRAVARIK: Yes.

ASSEMBLYMAN McDONOUGH: He's the last speaker that I have. Can you make a statement for us? I may walk out in the middle of it but it is not because I want to, it's only because of the time schedule.

MR. WEST: I will be very brief.

ASSEMBLYMAN McDONOUGH: Just so the record shows this, I will ask that three letters - one from the PTA, one from the Elizabeth Public Schools, Thomas A. Edison Vocational School, and one from Broadway Junior High School - be put into the record. Then also, at the same time, because I possibly will not be here when you finish, I want to thank the Committee for the time they gave us and thank the ladies from Legislative Services Department for their help today. So I will just say that to you now.

Go right ahead, Mr. West.

A R T H U R H. W E S T: Mr. Chairman, members of the Commission, my name is Arthur H. West, Allentown, New Jersey, where I own and operate a farm. I appear here today to speak for the New Jersey Farm Bureau, of which I have the honor to serve as president. As you may know, Farm Bureau is a voluntary, non-profit association of some 4,000 farm families in 20 New Jersey counties. We are one of the 50 affiliated state organizations that comprise the American Farm Bureau Federation and its two million member families.

To indicate that my interest in the subject before this Commission is broader than agricultural employment, I might indicate that I have been a member of the school board in the Upper Freehold Regional District for six years, and I currently serve as vice president of that board. The West family includes five children, one of which has made Mrs. West and I grandparents; two are in college; and two attend the Allentown Elementary Schools.

We in Farm Bureau were very pleased that the Legislature created this Commission. We have long felt that existing laws and regulations concerning the employment of minors are out-of-date, cumbersome, ineffective and almost useless. We trust that you will recommend to the Legislature some specific ways of improving the situation.

Although we agree that Government has a legitimate concern in protecting the health and welfare of minors, so as to make sure they are not exploited by those who would take advantage of them; and although we recognize that in years gone by we witnessed widespread abuse; we believe that those days are gone forever and that we need laws and regulations today that are more in tune with reality.

From our study of the laws, regulations and procedures involved in securing the work permits and in obtaining a job that is relatively safe for a minor, it is clear that the present situation actually discourages teen-agers from seeking employment. We believe it should be just the reverse. Instead of discouraging them, we should do everything within reason to encourage them to engage in suitable work experiences that will not adversely affect their education, their health or welfare. It is evident to anyone who wants to face the facts that much of today's teen-age crime and delinquency is caused by idleness and boredom on the part of young people. Certainly we can all agree that it would be preferable for these young people to be engaging in some form of gainful employment, instead of endless hours of hanging around pool halls, street corners, drag racing, and so forth.

I know it is not fashionable to talk about the good old days when we were growing up; but I can't help but draw from my own personal experience. I keep telling myself it hasn't been that many years since I was a teen-ager. I was born and raised on a farm, and I can assure you that I was brought up with a clear understanding that all members of the family were expected to do their share of the work. So far as I can determine, this work experience did not thwart my personality, impede my education, or in any other way adversely affect my personal development. I really believe that one of the major reasons we do not have a serious delinquency and drug problem in the farming communities is the fact that the youngsters in those areas are so busy they don't have time to get into trouble.

Three years ago, we wrote to Secretary of Agriculture Phillip Alampi, calling attention to the problem some farmers have during the summer months, when youngsters in migrant families arrive in New Jersey and have to get work permits in order to work on the farms. They are from areas outside of New Jersey, the local school officials do not know them and it is very difficult to obtain these permits during the summer months. We asked why it should be necessary to secure work permits during periods when the schools are not in session?

In response, the Secretary invited representatives of several State agencies to a meeting to discuss the whole work permit system. A multi-agency study committee was created, held a number of meetings during 1968-69, and the work culminated in the drafting of legislation embodied in A-109, A-110 and S-11 and S-12.

It was clear from the work done by the multi-agency committee that an overhauling of the child labor laws and regulations was long overdue. The procedures involved in issuing the work permits are confusing, cumbersome, unnecessarily slow and involved.

We strongly endorse the changes and the new I.D. card system envisioned in the bills introduced by Senator Hiering and Assemblyman McDonough. We understand that a similar system has already been adopted and is working well in Baltimore, Maryland'. We believe that parents would gladly pay a small fee to cover the cost of issuing these cards at the state level. The annual medical check-up should be simplified and made more flexible. When a person reaches the age of 17 and has graduated from high school he or she should no longer be required to present any kind of permit to work. The present permits for agricultural work are of six-months duration. There would seem to be no justification for this kind of distinction. For those youngsters coming from outside the state during non-school months, it is ridiculous for them to secure any kind of work permits from local school officials.

Our interest in this subject does not come from any thought on our part that any great number of minors can be or will be employed on farms, for several reasons: Employment on farms is going down each year; jobs on farms are becoming more skilled; farm work starts in the spring before school is out and continues in the fall after school begins; and a good portion of the work on farms is prohibited for minors by federal or state regulations intended to keep them away from dangerous jobs.

But this is not to say that several hundred additional youngsters could not be employed on farms if the laws and regulations are modernized. We receive many requests every year from parents who want to find jobs for their sons on farms. The most serious factor that presently keeps a farmer from employing persons under 18 years of age is the double indemnity provision in the Workmen's Compensation law. On most farms, there is both hazardous and non-hazardous jobs. Even though a farmer carefully warns and instructs a minor not to get close to or get involved in the hazardous work on a farm, such youngsters are usually curious, interested in machinery, and will be attracted to it when the farmer isn't looking. A farm is

usually a fairly large area and it is impossible to keep close supervision on everyone working there. If such a minor does get injured on a farm, the farmer is subject to double indemnity and he cannot insure himself against this risk.

We do not know the answer to this problem; but we would hope that this Commission could come up with some kind of a recommendation, so that when an employer takes every reasonable step to keep a minor away from the hazardous areas at a place of employment, he would not be subject to double indemnity.

For many years, we in agriculture<sup>tu</sup> have suffered from a shortage of farm labor, and it has been necessary for us to bring some 10,000 seasonal workers from Puerto Rico to work on our farms each year. The food processing plants have also found it most difficult to recruit dependable seasonal labor during their summer peak employment periods. Many of these jobs in the processing plants, now filled by Puerto Ricans and other migrants, could be filled by minors 16 to 17 years old; but the present law will not permit them to work more than five days a week or more than 40 hours a week. These plants operate on a six-days-a-week schedule during the summer. The law also says that a minor cannot work after 10:00 p.m. These processing plants operate two and three shifts and they must be able to schedule employees accordingly. There is no good reason why a person who is 16 or 17 should not be able to work six days a week or after 10:00 p.m. during non-school months. These restrictions should be removed and these decisions left to parents or guardians.

We also feel strongly that the New Jersey laws and regulations on the employment of minors should not exceed the federal laws and regulations. Agriculture, as well as other industries must compete on a nation-wide basis.

We are aware that agriculture has gained a reputation over the years of exploiting the labor of minors on farms; but we want to point out, that so far as New Jersey is concerned, this reputation is not justified. Very few of the

southern migrant families now come to New Jersey during the summer, and the day-haul seasonal crews contain relatively few children. It is true that sometimes mothers with small children arrive with these crews at the farm and take the children with them into the fields; but this is not something the farmer desires. He would rather the children stayed at home, at least until they are old enough to perform the work. We believe there is relatively little abuse of the child labor laws on farms these days.

We realize that the employment of minors becomes a highly emotional issue with some people, and that it is a difficult problem at best; but we hope that this Commission will thoroughly review all of the state laws and regulations affecting the employment of minors that recommend ways of encouraging these people to engage in gainful employment that will not adversely affect their education, health or welfare.

We appreciate the opportunity to present our views.

ASSEMBLYMAN McDONOUGH: Thank you. Are there any questions from the members?

ASSEMBLYWOMAN FENWICK: I would like to ask Mr. West, if I may, about this 10 hour a day 60 hours a week. Where does that come in. You say here they are prohibited from working more than 40 hours.

MR. WEST: In the processing plants.

ASSEMBLYWOMAN FENWICK: Oh, and in the fields they can work six days a week, ten hours a day?

MR. WEST: Yes.

ASSEMBLYWOMAN FENWICK: At what age?

MR. WEST: About 12. But I must say that this --

ASSEMBLYWOMAN FENWICK: Doesn't that strike you as rather bad, Mr. West?

MR. WEST: This does and farmers do not use 12 year old on their crops. Believe me, under today's economic situation it

is certainly not economically feasible for any farmer to employ a 12 year old and pay the minimum wage. They just can't perform that kind of work in that hour. So it isn't done. It's meaningless, the 12 year old thing is meaningless. But when children get to the age of 16, 17 and 18 most of them are very capable.

ASSEMBLYWOMAN FENWICK: Absolutely. But what would you like to see? I really think that we cannot sit anymore and have a law that says that a 12 year old child can work ten hours a day six days a week. What change would you propose in that area? No 12 year old child should work more than six hours a day or four hours a day? What would you say?

MR. WEST: Well, to farmers it doesn't really make any difference what regulations you put on a 12 year old child because we agree, most of everyone here, that a 12 year old child is not the type of person we're looking for.

ASSEMBLYWOMAN FENWICK: Where would you start?

MR. WEST: The reason that we do tolerate them is that many times their parents work for us and the mother does not want to leave the house with the children so she brings the children along. The mother and father are good workers so the children are put on the payroll but do nothing.

ASSEMBLYWOMAN FENWICK: If we set a four hour day for a twelve year old, that wouldn't shock you or wouldn't damage you?

MR. WEST: Not at all.

ASSEMBLYWOMAN FENWICK: If we set four hours for a 12 year old, what would you put for a 14 year old?

MR. WEST: I think for a 14 year old it ought to be at least 8 to 9 hours.

ASSEMBLYWOMAN FENWICK: And then a 16 year old they can do what they want.

MR. WEST: I would think so.

ASSEMBLYWOMAN FENWICK: I would think so too. But I think we have got to change that because that does not

seem right.

Now, when you say a 16 year old, then if they are going to be employed like adults they will be paid like adults.

MR. WEST: Definitely.

ASSEMBLYWOMAN FENWICK: And, therefore, there could not be any drop in the wage scale. As I understand it, now it has gone up to \$1.75 minimum in the migrant labor field.

MR. WEST: That's the new contract.

ASSEMBLYWOMAN FENWICK: So then our 16 year old would be protected under that just as any other worker would.

MR. WEST: Absolutely. Farmers do not make a habit of paying children less than anyone else. In fact, most of these children command a higher salary than some of the other workers because their skills, in some cases, are much better.

ASSEMBLYWOMAN FENWICK: Well, there are a couple of things that worry me about this. When you say here, no restrictions during off-school hours. Now, don't you think that would be a risky thing to institute, Mr. West?

MR. WEST: What we're talking about here is the working papers. Why require working papers when there is no school in session anyway? The child labor laws are in effect. Employers must live within the child labor laws. What difference does it make whether a child during the summer months has a slip of paper that says he's allowed to work or not. I mean the laws cover what type of work he can do.

ASSEMBLYWOMAN FENWICK: But shouldn't he have some kind of certificate so that the employer would know what that child's age really was?

MR. WEST: Any employer anywhere today, with the kinds of laws that we have, the tremendous risks under insurance, must know how old his employees are, their social security number, their name, their address. Any employer who doesn't do this sort of thing is in real

serious trouble. And that day is long gone when people could hire someone under a certain age and put him to work and not ask any questions. It just cannot be done today. Our wage records are checked by the Department of Labor, as they should be, and it's just ridiculous, unnecessary work.

MRS. DE HAUT: Mr. West, by this statement I notice you say that processing plants operate two and three shifts a day?

MR. WEST: That's right.

MRS. DE HAUT: Would you advocate that 16 year old children work a third shift or a rotating shift?

MR. WEST: In my opinion, it doesn't make much difference which hours of the day you work. If you're working 12 to 8 in the morning, for example, what's the difference whether you are working 12 to 8 in the morning or 8 till 4:30 in the afternoon. You go home and go to bed. I don't really see what difference it makes.

MRS. DE HAUT: Well, it makes quite a bit of difference. Have you ever worked rotating shifts?

MR. WEST: I certainly have. In fact, I've worked around the clock.

MRS. DE HAUT: Well, I've worked for a good many years and I disagree violently on this. And I don't think there is any place for 16 year old children to be out from midnight till 8 in the morning, absolutely not.

MR. WEST: Well, I see a lot of them riding the streets every night doing absolutely nothing but getting into a lot of mischief and they'd be far better off if they were working.

MRS. DE HAUT: That could be so but that's up to their parents.

MR. WEST: Well, so is where they're working up to their parents. If the parents object to them working, the parents certainly should have control over their children at 16 years of age. I know many don't, but if a parent doesn't want them to work, I think this is a family problem.

MRS. DE HAUT: That could be, but I disagree violently with that.

MR. SIERGEJ: I think there should be parental responsibility in any minor employment.

MR. WEST: That's right.

MR. SIERGEJ: Whether it's your business or not. And a parent or guardian, I'm talking about. I think that should be incorporated very definitely, no ifs or buts about it. They should know where they are.

MR. WEST: I think so too.

MR. CHUMNEY: Mr. West, as we look at this whole problem of gainful employment of our young people and with the necessary safeguards and so forth, which I am sure we're all for, what, in your judgment, if there are any exceptions that ought to be made for people in agriculture - and I ask this question within the philosophy of work is work if we put in the proper safeguards to protect our young people in whatever line they're in -- in your judgment, do you feel we need any special exceptions or special provisions then coming into the field of agriculture to work that should be put into the law?

MR. WEST: Well, I am certain there should be some. For example, first of all, you cannot do certain jobs under the age of 16, and I think some of these things should be maintained. There are certain jobs that certainly a person under 16 should not be allowed to do. There are certain jobs that are hazards.

MR. CHUMNEY: I say, assuming all the protections are in there as far as hazardous employment, are there any special things, in your judgment, that should be included in the law and the issuing of the working papers, and so forth. I think we ought to put the safeguards in the law to protect all young people regardless of what the occupation is but are there any other special exceptions that you feel are applicable today in modern day agriculture that ought to be put into this law for agricultural employees only.

MR. WEST: Well, I think that certainly they ought to be looked at periodically because of our changing agriculture and the mechanization that has taken place in agriculture. The farm I operate today is nothing like the farm I operated ten years ago or five years ago. And I am sure by 1975 it will look entirely different than it does in 1971. So I think these things need to be constantly looked at, the regulations that cover the employment of minors. I can't make a blanket statement here, I don't think, on what I think you are getting at because there are so many variables. This is a difficult and involved subject. There are a lot of machines that certainly children can work on. We now have many harvesting machines that are nothing more than a series of rubber conveyor belts. They have sun awnings over them; they have platforms where the people ride them, and yet they would be construed, under today's regulations, as not being a machine that a child could work on and yet I would defy any safety engineer or anyone on the Commission to go out and actually find a real hazard on that machine any worse than riding a bicycle. So I think some of these things must constantly be looked at. Now there are certain other machines on a farm that are very hazardous and a child shouldn't be within 100 yards of them. And we ought to periodically look at these things.

ASSEMBLYWOMAN FENWICK: Of course, my own son, at 16, was working in the oil fields in West Texas. The best thing that ever happened to him, by the way. So I haven't got quite the tender feeling. I think it depends a great deal on the boy. And you know, he absolutely needed it. He was running those great big derricks, you know, with pipes going down.

MR. CHUMNEY: One other question, Mr. West. You mentioned the need to import some 10,000 Porto Ricans into the State to do the work each year. Would you venture a guess, if we set up some kind of a streamlined system along the lines you suggested here, how much we could reduce the number of people

that would have to be brought into this State if we could gainfully employ more of these 16 and 17 year olds?

MR. WEST: I honestly think, if we had a program that we could work, I think there is a possibility here. In my office each day, of late, I have been getting numerous students from the Mercer County Community College - which, of course, is just up the street from our office - coming to us and asking us would we please find them summer employment, they need to make some money for their next fall tuition payment. We get letters from people who are going to school out of state wanting some work. My first reaction is, you know, here's a fellow - well some of them are high school graduates at 17 but they're going to college next year, but they're 17 right now and they want to make some money, they're 220 pounds, they played on the high school football team and they're very capable of working. My first thought is, what in the world can I find for some of these people to do, and will farmers take them in view of the fact that the workmen's compensation laws are such that if some of these people are injured under 18 years of age there is no way in the world an employer can cover himself, liabilitywise, to take care of him. I would certainly like to have the opportunity, if these laws can be changed slightly, to be able to work up a summer employment program for a lot of kids, and there are a lot of them. We in our organization would be most happy to employ large numbers of them on a contract basis. They would be guaranteed hours, guaranteed wages, guaranteed hospitalization, all of these things. But some of these little seemingly insignificant features must be changed in order to do this.

Yes, we could considerably cut the importation of these workers from Porto Rico.

ASSEMBLYWOMAN FENWICK: Thank you very much, Mr. West.

ASSEMBLYMAN KRAVARIK: Mr. West, I would appreciate

it, on that final point, if you could supplement your remarks to the Commission with some concrete proposal in that area, not in any great detail but at least an outline.

MR. WEST: I would be very happy to do this. We are presently trying to set up some type of a program where we can use some of the older high school boys and college boys through the summer months. We would definitely like to do this. We do have a few employers who would be willing to try this on a pilot basis. There are some nurseries that would like to use them. They are very adept at irrigation. This is something these young fellows really like to do. These aluminum pipes are not heavy. They look heavy but they're not heavy. They weigh less than a half pound per foot and they are not heavy. But young people seem to like to do this work and we can use them. But as soon as you see the act of putting one pipe into another, there is a possibility of mashing a finger. I mean, let's face it, I can fall down going up that step and mash my finger too. You know, it's rather remote. If we could change some of these things slightly, we can employ them.

ASSEMBLYWOMAN FENWICK: Thank you very much.

ASSEMBLYMAN KRAVARIK: In the absence of the Chairman, I assume we stand adjourned.

ASSEMBLYWOMAN FENWICK: We stand adjourned.

(Hearing concluded)

HEARING ON CHILD LABOR LAWS - April 13, 1971 - Assembly Chambers

Mr. McDonough, members of the Commission on Child Labor Laws:

The New Jersey PTA appreciates this opportunity to express its views on Child Labor Laws at this Hearing. One of the OBJECTS of the National Congress of Parents and Teachers is "To secure adequate laws for the care and protection of children and youth", as stated in our bylaws.

The PTA Platform on Child Labor states that all legislation relating to Child Labor should protect the education, health, safety and welfare of youth, and allow opportunities for them to work at appropriate jobs. In line with Juvenile Protection, we also are interested in the implementation of State laws when environmental factors are involved in the safety and welfare of children and youth. We would support whatever changes may be needed for assuring that our laws protect the education, health, safety and welfare of young people, and allow opportunities for them to work at appropriate jobs. We would also be alert to defeat attempts to weaken existing Child Labor statutes. New Jersey has indeed been fortunate with its laws protecting our youth.

We are equally cognizant of the New Jersey's concern to provide more jobs for our youth. However, we would respectfully request that this Commission take into consideration that child labor legislation should not jeopardize the safety and security of youngsters, or expose them to any kind of hazards. Recognizing the participation of girls in the employment field where here-to-fore only boys have been active (perhaps this is due to "Women's Lib"?), we would be remiss if we did not warn our male legislators to do a great deal of soul searching, and warn them to consider all aspects of hazards in improving the Child Labor Laws, including molestation. Perhaps they might turn over in their minds this question: "Would it be safe for my daughter to do this job?". Due to the murder of a newsboy in Monmouth County who was collecting money for newspapers, it is apparent that even our sons are vulnerable to such exploitation.

We are further interested in support of evidence of a child's eligibility to work as protection to the child and his employer, by the use of the employer's certificate which we feel should be mailed to the employer, and not given to the minor, and that a certificate should be issued for a particular minor for a particular job.

We would urge that the Employment Certificate should be maintained as is with no changes.

The procedure used in approval or disapproval of a particular job for a particular minor by the issuing officer of the local board of education and the New Jersey Dept. of Labor before employment, prevents possible exploitation of the minor, and protection of the employer from possible violation of the law, or fraud.

We would oppose the use of Identification Cards issued by the State Department of Education, instead of the Department of Labor and Industry, in order to set up a "labor data bank" in Trenton. Such an "I.D." card is supposed to be used from the age of 12 to 18, and shown to every employer. If lost or stolen, a duplicate will cost this child \$2. If hired illegally, the card may be revoked until he is 18! The card precludes any employment counseling by the school, or issuing officer of the local board of education. After the youngster is hired, the employer sends an Employment Certificate to the State Department of Education, NOT the Department of Labor and Industry, which is responsible for enforcement, plus employer's responsibilities. Who knows if the minor is working illegally until the Department of Labor finds possible violations upon inspection, which could be weeks later!

The law concerning 16 year - boys and girls working in restaurants is weak, and of concern to the welfare of ALL minors, and should be rescinded. Is not their health and safety challenged due to lack of transportation facilities - late hours - questionable environment? We are concerned that this employment may spread to hotels and motels, as proposed in A-108.

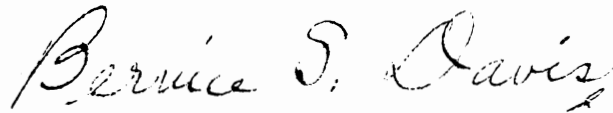
In agriculture, the minimum age should be raised to 14, with protective employment certificates now issued to all other minors. Twelve - year olds now work 10 hours a day, 60 hours a week.

We still urge that boards of education should issue their own permits to their own employees, NOT the publishers of newspapers to issue their own permits to their own employees. Again, we reiterate that girls under 18 not be permitted in street trades, particularly as girl newscarriers.

We congratulate the Commission on our New Jersey Child Labor Laws which are considered one of the best in the nation. We are equally impressed with the updating and revision and interpretation of administrative regulations.

Although previous Commissions to revise the Law have made studies and had hearings, no basic changes have ever been recommended. We respectfully request that the present Commission make every effort to strengthen the Law.

Thank you.

A handwritten signature in cursive script that reads "Bernice S. Davis". The signature is written in dark ink and is positioned centrally on the page.

Mrs. Arthur L. Davis  
Legislation Chairman

ELIZABETH PUBLIC SCHOOLS  
Thomas A. Edison Vocational and Technical High School  
625 Summer Street, Elizabeth, New Jersey 07202

DAY AND EVENING COURSES

EMIL A. SLAFKAN, *Guidance Counselor*  
Telephone 353-2200 Ext. 367

April 7, 1971

Mr. Carl E. Moore, Research Associate  
Division of Legislative Information and Research  
Room 30, State House  
Trenton, New Jersey

Dear Mr. Moore:

I was most interested in your recent letter regarding Child Labor Laws and your request for suggestions.

I am a guidance counselor in a vocational and technical high school. The course of study in each shop is three years in length. In the senior year we permit boys of 18 years of age to work in industry on a part-time basis. The area of work must relate closely to the course the student is pursuing. This program has been in effect for quite a number of years. It is not affiliated with the State Cooperative Industrial Program.

Now to my problem, I have had great difficulty placing 17 year old students in machine shop areas. Although Chapter 115, Laws of New Jersey, 1970 provides that, "when a child has graduated from a vocational school-- is at least 17 years of age, etc., etc., he is given special permission to engage in those pursuits in which he majored in said vocational school during those hours permitted for persons of 18 years of age." I claim this particular student is being penalized in that he must first receive a diploma in order to be employed.

Yet, under the State Cooperative Industrial Program, a young student is permitted to work from age 16 on. Now, my complaint is -- has that student been given better training than my student in the vocational school where safety is stressed and the training is such that it is almost on a par with industry? How can the Cooperative Industrial Program enjoy such a privilege when in most cases those students are not trained in the area in which they are placed?

It is my feeling that if the Cooperative Industrial Program is able to place students in such manner, then I think the law should be modified so that a 17 year-old student in a vocational school, in his senior year and passing all subjects, should receive the same privilege.

Respectfully,  
*Emil A. Slafkan*  
Emil A. Slafkan  
Guidance Counselor

ES;mp

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LEGISLATIVE  
SERVICES

April 1, 1971

Senator Wm. V. Musto, Secretary  
Child Labor Law Study Commission  
State House  
Trenton, New Jersey

Dear Senator:

Announcement that your Commission plans to consider A 109 and A 110, replacing the present employment procedure with an identification card to be given to every twelve year old minor in New Jersey gives interested citizens deep concern.

The present procedure requires a "promise of employment" from the prospective employer to be taken by the minor (age 12 to 18) to the school issuing officer for approval or disapproval.

This protects

- 1) the child from exploitation, and
- 2) the employer from unwittingly violating the law.

The employment certificate is then mailed, by the issuing officer to the employer before the child goes to work. This procedure prevents fraud.

An I-D card can be lost, stolen or borrowed just as credit cards are. The minor will be penalized. A new I-D card would cost \$2.00 each time. If the minor works illegally, the I-D card may be revoked and no employment allowed until the 18th birthday. There will be as many interpretations of the law as there are employers.

We disapprove of the 16 year old boys and girls working until midnight in restaurants where liquor is sold. This section of the Child Labor Law should be rescinded.

The minimum age for migrant farm workers should be raised from 12 to 14 years, and hours shortened from ten hours a day to eight hours a day.

April 1, 1971

-2-

We rely on the members of this Commission to protect minors.

Sincerely, Elizabeth M. Moore  
Augusta Moore, Co-Chairman  
Members of Immaculate Conception  
Church Sewing Guild

Anna M. Brown  
Angelina Russo  
Agnes C. Murphy  
Anna M. LaFayette  
Nora Hual  
Lita Monzo  
Mrs. Mary T. ...  
Mrs. ...  
Mrs. ...  
Mrs. ...  
Mrs. ...  
Mrs. ...  
Lucy M. Bennis

Catherine E. Mickey  
Sarah A. O'Connell  
Mar. B. Brennan  
Katharine R. Brown  
Mary Tomjanovich  
Catherine Foley  
Mary Costello  
Frances Saverio  
Eleanor Schreiner  
Alice Keenan  
Elizabeth Bennington  
Richard Engert

26

423 Harrison Street,  
Nutley, New Jersey, 07110  
April 11, 1971

Senator William Musto,  
New Jersey Senate,  
Trenton, N.J.

Dear Senator Musto,

We are inalterably opposed to the weakening of the New Jersey Child Labor Laws. The present law protects our children and should remain as is.

The proposed changes do not offer adequate protection; they penalize the child if the law is broken; the proposed card system can be lost or stolen; knowledge of the child's illegal employment will be delayed or not recorded at all. For these reasons we are opposed to any changes.

To bring back child laborers these bills will tend to do will not help our social problems but will rather increase the problems.

Please do all within your power to defeat the changes.

Very sincerely ,

*Myabel O. Darden.*  
William and Label Darden

Child Labor Law Study Commission  
State House - Trenton, N. J.

Dear Members of the Commission -

As citizens concerned with the health, education and welfare of youth, we wish to be recorded as supporting the present employment certification procedure. We feel it protects the young worker, at the same time it allows the employer to hire the young worker with confidence. He hires the youth only after receiving an employment certificate through the U. S. mail - bearing that this particular job for this particular minor has been approved by the issuing officer of the local Board of Education and the New Jersey Department of Labor. In case of accidents the employer and worker are protected through Workmen's Compensation.

We trust the good judgment of the Study Commission to repeal the recent amendment to the Child Labor Law which permits sixteen year old girls and boys to work until midnight in restaurants where liquor is sold, an environment not conducive to youth's full safety. At a time of so much adult unemployment, there is no longer reason to employ teenagers under such conditions.

Yours truly

Committee of Catholic Women's College Club  
Marian E. McLaughlin  
Gene O'Connell  
Agnes C. Murphy - Chairman

42 No. FULLERTON AVE  
MONTCLAIR, N. J.

BOARD OF EDUCATION  
BROADWAY JUNIOR HIGH SCHOOL  
663 BROADWAY  
NEWARK, NEW JERSEY 07104

JOSEPH CELIANO, Principal

STATE OF N.J.  
LEGISLATIVE  
SERIES 4-8-71

APR 12 PM 4 07

Mr Carl C Moore  
Division of Legislative Information  
State House  
Trenton, N.J.

Dear Mr Moore:

I have the following suggestions to offer  
for the hearings on Child Labor Laws. (4-13-71)

1. a waiver of the 16 year old age  
(minimum) requirement for certain jobs,  
if the boy or girl is in the 9th grade  
or a graduate of a J. H.S.

Many 9th graders are 14-15 years  
old, however, mature and physically  
capable of doing work required of  
a 16 year old boy or girl.

2. Under 16 yrs old, boys and girls, be  
allowed to work until 8 P.M.

3. Any combination of work and school  
which adds up to 8 hrs be  
extended to those under 16 years.

BOARD OF EDUCATION  
BROADWAY JR. HIGH SCHOOL  
663 BROADWAY  
NEWARK, NEW JERSEY 07104

JOSEPH CELIANO, PRINCIPAL

As a coordinator of a W. O. C. C. Program  
my experience with boys and girls  
and employers have prompted me  
to write this letter.

Sincerely,  
Carl Brunner.

Miss Marion C. Bisson  
84 Plymouth Avenue  
Maplewood, New Jersey 07040

April 6, 1971

Honorable William V. McCants  
321 3rd Street  
Union City, N. J. 07087

Dear Senator McCants:

I wish to express my disapproval of the proposed changes in the present Child Labor Law as recommended by Senator Peter J. McDonough of Plainfield. Our present law is one of the best in the nation.

However there are weaknesses which should be corrected. No fifteen year girl or boy should be permitted to work until midnight in restaurants where liquor is sold. The minimum age for minor working on farms should be raised to fourteen and the same employment certificate issued to them as to all other minors. Perhaps should have employment certificates from their local Boards of Education.

Instead of relaxing the present law, study should be made on tightening the ruling and certifications for all juvenile employees as stated above.

I thank you,

Yours sincerely,  
Marion C. Bisson

Miss Madeline B. Bisson  
84 Plymouth Avenue  
Maplewood, New Jersey 07040

April 6, 1971

The Honorable Assemblyman Martin E. Kravick  
22 Kirkpatrick Street, P.O. Box 70  
New Brunswick, New Jersey 08903

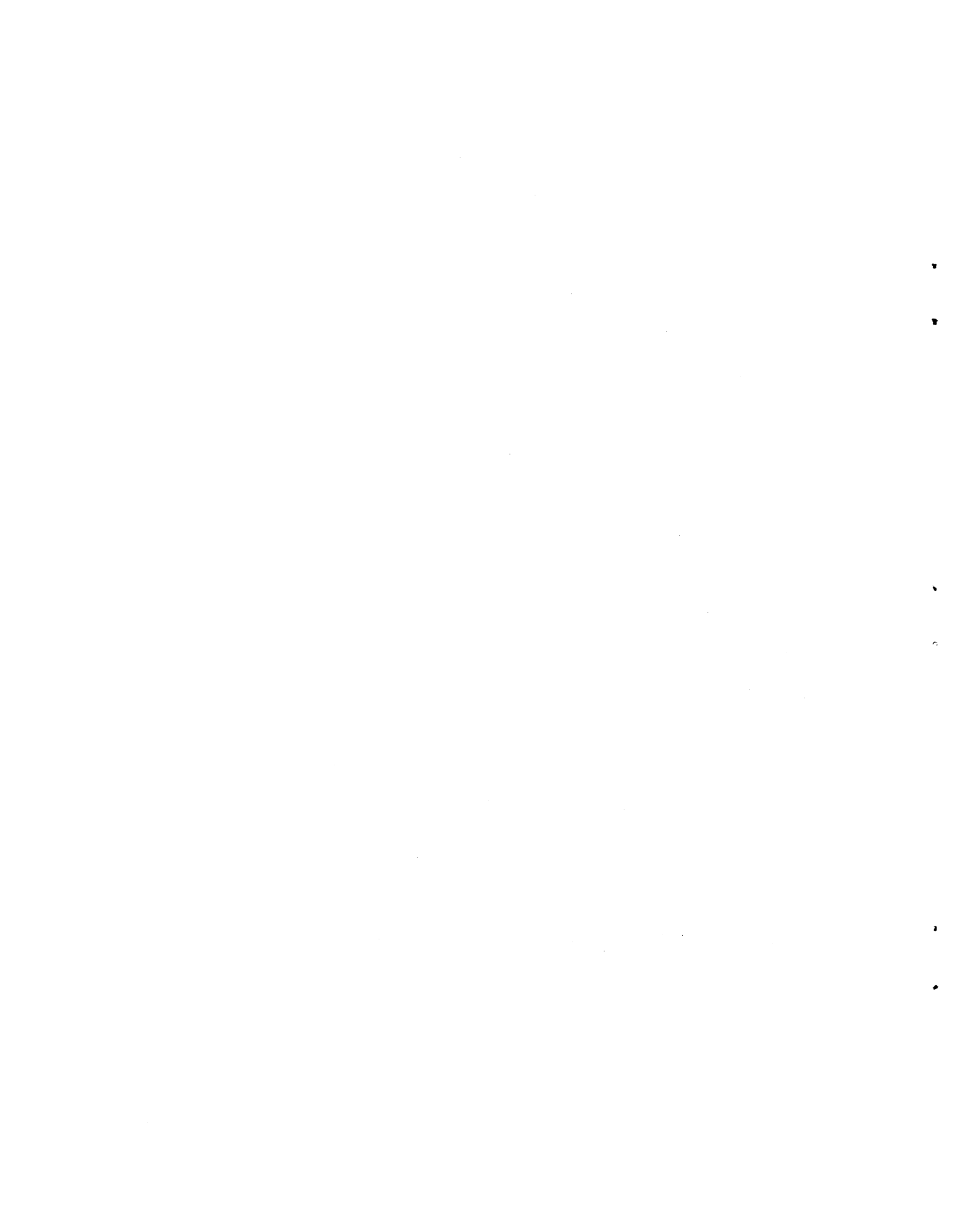
Dear Mr. Kravick:

As a retired teacher of the Newark School System and a Girl Scout Leader of some ten years I have the interests of young people at heart. I strongly urge you to oppose any revision of the New Jersey Child Labor Law that would weaken it. The only change I would recommend is to give further protection to youth so that no minor may be employed in any establishment where alcoholic liquors are dispensed.

I thank you for any consideration that you may give my views.

Sincerely yours,

(Miss) Madeline B. Bisson



**JUN 20 1985**

