



State of New Jersey
DEPARTMENT OF LABOR AND INDUSTRY
 RAYMOND F. MALE, COMMISSIONER

PLEASE REPLY
 TO WRITER AT
 THIS ADDRESS:

NOTICE RE - PUBLIC HEARING ON PROPOSED MINIMUM FAIR WAGE ORDER
GOVERNING EMPLOYMENT OF WOMEN AND MINORS IN BEAUTY CULTURE
OCCUPATIONS

The Wage Board for Beauty Culture Occupations has submitted to the Commissioner of Labor and Industry a report which includes its recommendations as to minimum fair wage standards for women and minors in Beauty Culture Occupations. A copy of the Wage Board's report is attached, together with such administrative regulations as the Commissioner of Labor and Industry deems appropriate to supplement the report and to safeguard the minimum fair wage standards to be established. Additional copies may be obtained from the Wage and Hour Bureau, 29 East Front Street, Trenton, New Jersey.

A public hearing will be held on Wednesday, September 14, 1960, at 10:00 a.m., in the Assembly Chamber, State House, Trenton, New Jersey, at which time all persons favoring or opposing the recommendations may be heard. Persons desiring to be heard are requested to register with a representative of the Department of Labor and Industry, on the above date, in the hearing room, between the hours of 9:00 a.m. and 10:00 a.m., or may submit their request, in writing, to the Wage and Hour Bureau, 29 East Front Street, Trenton, New Jersey, prior to the date of the hearing.

If the report is approved, after the public hearing, a mandatory order will be issued which will take effect one hundred and eighty days from the date of issuance.

Commissioner of Labor and Industry

Raymond F. Male

Dated: 8/13/60

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Honorable Raymond F. Male
Commissioner of Labor and Industry
of the State of New Jersey
20 West Front Street
Trenton 25, New Jersey

Dear Commissioner:

In accordance with the terms of our appointment, we have the honor herewith to present our recommendations as to minimum fair wage standards for women and minors in the "Beauty Culture Occupations". In the course of our deliberations we carefully studied available evidence relating to: wages and hours in the New Jersey Beauty Culture Industry; living costs for workers in the State; and earnings in other occupations. These were compared with the value of services rendered in Beauty Culture Occupations. Interested persons desiring to present material for the Board's attention were given an opportunity to do so at a public hearing and all correspondence and written submissions were reviewed.

The Board Members, in their deliberations, kept mindful of the consequences which their recommendations would have upon the general public as well as employers and employees in the Beauty Culture Industry.

In accordance with motions adopted at our final meeting on July 11, 1960, the Board submits, herewith, the following recommendations:

1. Women and minors employed as Operators shall be paid at the following rates:
 - (a) During the three months following the date of initial hire in a given establishment not less than \$1.25 per hour for each hour of working time. (By majority vote.)
 - (b) For each hour of working time thereafter not less than \$1.50 per hour. (By majority vote.)
2. Women and minors employed as Operators on a Senior Student Permit or Temporary Permit shall, for each hour of working time, be paid not less than \$1.25 per hour. (By majority vote.)
3. Women and minors employed as Maids, Cleaning Women, Porters or Shoe Shine Boys shall, for each hour of working time, be paid not less than \$1.25. (By majority vote.)

4. Women and minors employed at any other occupations, not specifically provided for herein, shall, for each hour of working time, be paid not less than \$1.35. (By majority vote.)
5. The minimum wage to be paid to any employee for any day, or part of a day, in which the employee has been required, or authorized, to report for work, and has reported for work, shall be not less than four times the employee's regular hourly wage rate. (By unanimous vote.)
6. Overtime, at the rate of not less than one and one-half times the regular rate at which the employee is actually employed, shall be paid to each woman and minor subject to the provisions of this Order for hours worked in excess of forty in any one week, except that overtime rates shall not apply to an employee who is compensated for his services on a salary basis of \$80.00 or more per week, and who is employed in a bona-fide managerial, executive, or supervisory capacity. (By unanimous vote.)
7. Employers shall furnish all material and equipment pertinent to performance of the work with the exception of personal manicuring and hair cutting tools. (By unanimous vote.)

The Board further recommends that the Department of Labor and Industry make a survey of the economic impact of this Wage Order on the employees, the shop owners, and the consumers of beauty culture services in the State of New Jersey.

Recognizing that New Jersey's Minimum Wage Law covers women and minors only, and that adult males in intra-state employment have no protection whatsoever, the Board recommends that steps be taken to enact an all inclusive Minimum Wage Law.

Respectfully submitted,

Wage Board for Beauty Culture Occupations

Representing Public:

Jack Chernick
Jack Chernick, Ph.D., Chairman

Joseph H. Hall, III
Rev. Canon Joseph H. Hall, III, Th.D.

Mrs. Frank Fobert
Mrs. Frank Fobert

Representing Employers:

Harry Comp
Harry Comp

Mrs. Mary Bacher
Mrs. Mary Bacher

Mrs. Irene I. Steward
Mrs. Irene I. Steward

Representing Employees:

Mrs. Pauline Gallagher
Mrs. Pauline Gallagher

Thomas J. Kean
Thomas J. Kean

Miss Rosalie J. Pisciotta
Miss Rosalie J. Pisciotta

ADMINISTRATIVE REGULATIONS

RECORDS. Every employer of workers covered by this Order shall keep the following records for each female and minor employee:

- a. Full name, address, age and occupational classification.
- b. A true and accurate record of hours worked each day including record of starting and stopping time, meal periods, total daily and weekly hours and amount of wages paid for each pay period.

Records shall be dated showing the payroll ending date by month, day and year and all records must be kept so as to enable representatives of the Department of Labor and Industry to determine readily whether or not the employer is complying with the Orders of the Commissioner of Labor and Industry.

Such records shall be open to inspection by the Commissioner or the Director or his authorized representative at any reasonable time.

GRATUITIES. In no case shall tips or gratuities from patrons be counted as part of the minimum wage or regular wage rate being paid to an employee.

WAITING TIME. Any period of time during which an employee is required to wait on the premises and during which period no work is provided by the employer shall be counted as working time and be paid at such employee's regular wage rate.

HANDICAPPED. No woman or minor whose earning capacity has been impaired by age or physical or mental deficiency or injury may be paid at less than the minimum fair wage standard, until a special license, in accordance with the provisions of Section 34:11-48 of the Revised Statutes of New Jersey, has been obtained by the employer from the Wage and Hour Bureau of the Department of Labor and Industry.

POSTING. The Notice issued by the Department of Labor and Industry setting forth the provisions of this Mandatory Order and Administrative Regulations shall be posted in a conspicuous place in every room where women and minors are employed at the occupations covered by this Order.

SCOPE. The foregoing minimum fair wage rates shall apply to all women and minors engaged in Beauty Culture Occupations, as defined in this Order, irrespective of the nature of the business of the employer or the location of the place where the work is being performed.

EXEMPTIONS

Women and minors employed in a hotel are exempt from the provisions of this Order.

DEFINITIONS

The term "BEAUTY CULTURE OCCUPATIONS", within the meaning of this Order, shall include all services, operations, or processes used or useful in the care, cleansing, or beautification of or in the enhancement of personal appearance; and all services, operations or processes, incidental to such care, cleansing, beautification or enhancement, including the services of demonstrators, maids, cashiers, reception or appointment clerks.

The term "BEAUTY CULTURE ESTABLISHMENT", within the meaning of this Order, shall include any shop, store, place, room or part thereof, in which services are rendered in a beauty culture occupation, or any branch thereof, and a charge is made to the recipient of such services.

The term "MINOR", within the meaning of this Order, shall include all persons under twenty-one (21) years of age.

The term "REGULAR WAGE RATE", within the meaning of this Order shall mean the amount the employee is regularly paid for each hour of work. The regular rate of pay at which the employee is employed may not be less than the minimum applicable rate established in this wage order. When an employee is paid on an annual, monthly, weekly, piece work, fluctuating hourly rate, or any basis other than a regular hourly basis, the regular wage rate shall be determined by dividing the total hours worked during the week into the employee's total computed earnings for the week. The total computed earnings shall include commissions, bonuses, and all compensation paid by the employer except premium pay for overtime.

The term "OPERATOR", within the meaning of this order, shall mean an employee duly licensed as operator, manicurist, manager-operator or demonstrator by the New Jersey Board of Beauty Culture.

The term "SENIOR STUDENT PERMIT" and "TEMPORARY PERMIT", within the meaning of this Order, shall mean permits issued by the New Jersey Board of Beauty Culture.

The term "EMPLOYED IN A BONA-FIDE MANAGERIAL, EXECUTIVE OR SUPERVISORY CAPACITY", within the meaning of this Order, shall mean any employee

- a. whose primary duty consists of the management of the establishment in which he is employed or of a customarily recognized department or subdivision thereof; and
- b. who is compensated for his services on a salary basis at a rate of \$80.00 or more per week.

