

## Chapter IX

Special Factory Acts and Sanitation Measures.

California has a number of special statutory acts which have been passed in order to protect the health of the workers of the state. In addition to these acts there are safety and sanitation rules and orders which have been drafted by the Industrial Accident and the Industrial Welfare Commissions. These latter rules and orders will not be discussed in this chapter since they are to be taken up elsewhere.\* The Industrial Accident Commissions

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\*For the rules and regulations under the jurisdiction of the Industrial Accident Commission see page \_\_\_\_.

For those under the Industrial Welfare Commission see page \_\_\_\_.

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orders pertain to safety and accident prevention, those of the Industrial Welfare Commission pertain to the safeguarding of the health and welfare of women and children, whereas, the laws discussed in this chapter include all other factory acts and pertain to the sanitation of factories, workshops, and labor camps.

Possible preventative measures through legislation cover a wide range of topics -- such as insistence upon cleanliness in work places, the provisions of good light and ventilation, the furnishing of adequate water-closets and washing facilities, the provision of seats for workers, the supplying of pure drinking water and the maintenance of good sanitary conditions in labor camps.

Commissioner McLaughlin reported in 1912 that California had no adequate legislation for the protection of persons working

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 in factories. He sated that the commonly known factory inspection law was practically of no value. Its provisions were to indefinite there were no precise standards erected by law and the Bureau's authority to insist upon rigid regulations was limited.\*

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\*Report of the Bureau of Labor Statistics, 1912, pp. 14-15.

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The inspection law referred to by Commissioner McLaughlin was enacted in 1889, and after amendments in 1901, 1903 and 1909, it provided in general that all establishments employing five or more persons should be kept in a cleanly state, with sufficient water-closets within reasonable access and separate for the sexes, and that such establishments should be so ventilated that the air would not be injurious to the health.\*

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\*Cal. Stats. 1889 p. 3, Amended Stats. 1901 p. 571, 1903, p. 16, 1909, p. 43.

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This law, unchanged since 1909, has remained upon the statute books but has been supplemented by other more specific and practical health and sanitation measures.

Organized labor was thoroughly dissatisfied with the working conditions in factories during the early period under consideration. Numerous resolutions on the subject were submitted at the State Federation of Labor conventions, a sample petition being the following resolution submitted in 1911 by the Moulder's Union no. 164 of San Francisco:

"Resolved, that it is the sense of the State Federation of Labor of the State of California that there should be brought

before the State Legislature for the enactment into law, through the legislative committee, in the furtherance of the better sanitary conditions for the working people of our state, the following:

That there be enacted a law which will make the furnishing of male and female help palatable drinking water, free of expense to all employees.

Also the providing of proper places for changing of wearing apparel and more sanitary wash rooms and toilets, in regard to both privacy and convenience.\*\*

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\*Proceedings, October 2-6, 1911, p. 28.

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A Sanitation law passed in 1909 for the purpose of insuring a supply of pure food for the public indirectly benefited workers employed in food producing establishments. Section one of the act provides that "every building, room, basement, or cellar, occupied or used as a bakery, confectionery, cannery, packing house, slaughter-house, restaurant, hotel, grocery, meat market, or other place or apartment, used for the production, preparation for sale, manufacture, packing, storage, sale or distribution of any food, shall be properly lighted, drained, plumbed and ventilated, and conducted with strict regard to the influence of such conditions upon the health of the operatives, employees, clerks or other persons therein employed, and the purity and wholesomeness of the food therein produced, kept, handled or sold; and for the purpose of this act the term 'food' shall include all articles used for food, drink, confectionery or condiment, whether as simple or compound, and all substances and ingredients used in the preparation

thereof." Other sections of the act prescribe in detail the sanitary provisions regarding floors, walls, windows, toilets, etc. The enforcement of the law is under the jurisdiction of the State Board of Health assisted by the county and city health boards.\*

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\*Cal. Stats. 1909 p. 151.

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Because of the absence of a provision for regular inspections and due to the lack of interest on the part of many county and city health boards, the law is not evenly enforced. In the larger cities, however, conditions in food producing establishments have been materially improved because of the act.

Upon the recommendation of the Labor Commissioner\* a statute

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\*Report of the Bureau of Labor Statistics, 1912, p. 14.

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was passed in 1913 which has aided the Bureau in making factory inspections. The act has consequently made the sanitation laws more effectively and easily administered. The measure provides for the registration of factories, workshops, mills and other manufacturing establishments where five or more persons are employed.\*

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\*Cal. Stats. 1913 p. 444.

Section one states that "...Such registration with the Bureau of Labor Statistics of existing factories, workshops, mills or other manufacturing establishments shall be made on or before January 1, 1914. All factories, workshops, mills, or other manufacturing establishments hereafter established shall be so registered within thirty days after the commencement of business. Within thirty days after a change in the location of a factory, workshop, mill or other manufacturing establishment the owner thereof shall file with the Commissioner of the Bureau of Labor Statistics the new address...."

In an effort to prevent the spread of communicable diseases among workers, the legislature enacted a statute the same year which regulated the sterilization of wiping rags used by mechanics and other workmen.\*

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\*Cal. Stats. 1913 p. 86.

The act provides that "Every person or corporation who supplies or furnishes to his or its employees for wiping rags; or who sells or offers for sale for wiping rags, any soiled or used underclothing, bedding, or parts of soiled or used underclothing, wearing apparel, bed clothes, bedding or soiled rags and cloths, unless the same have been sterilized by a process of boiling for forty minutes in a solution containing five per cent of caustic soda and unless before such boiling, the sleeves, legs and bodies of the garments are ripped and made into flat pieces, is guilty of a misdemeanor."

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Two years later the drinking water of employees was protected by law.\* Many workers had suffered in the past because of the

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\*Cal. Stats. 1915 p. 815.

The act provides that "every employer of labor in this state shall without making a charge therefore, provide fresh and pure drinking water to his employees during working hours. Access to such drinking water shall be permitted at reasonable and convenient times and places."

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lack of pure drinking water while in the course of their employment. In some parts of the state water had often been supplied from contaminated wells and streams, and in other places it had been made unfit for drinking while being transferred and stored in unsanitary barrels. The bad conditions in a labor camp near Wheatland, Yuba County in 1913 brought to the attention of the people of the state the necessity for drastic regulation of the workers' drinking water. At that time in the labor camp there was a scarcity of drinking water, some of the wells were pumped dry, while

others became infected from the surface water that drained from stagnant pools which formed in close proximity to the toilets and garbage piles. Under such shocking insanitary conditions sickness followed as a matter of course. There were cases of typhoid and dysentery, caused probably by the germ laden water which was drunk by the workers.\* Since the enactment of the "pure drinking

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\*Report of the Commission of Immigration and Housing, 1915, p. 18

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water"act no similiar conditions have been brought to light.

A general sanitation act passed in 1917, which prohibits the keeping of towels for common use in public places, has improved conditions in many factories and work places.\*

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\*Cal. Stats. 1917 p. 1518.

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Section one states that "no person, firm or corporation conducting, operating, having charge,of, or control of, any hotel, restaurant, factory, store, barber shop, office building, school, public hall, railroad train, railway station, boat, or any other public place, room or conveyence, shall maintain or keep in or about such place any toel for common use."

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In 1921 two sanitary laws were passed which pertain to special industries. One of the statures requires the installation of certain sanitary facilities in the operating rooms of theaters and moving picture houses\* and the other provides for suitable

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\*Cal. Stats. 1921 p. 1693, (Amended Stats. 1927 Ch. 205).  
Section one provides that "in the operating room of every theater and moving picture house hereafter erected...there shall be provided running water and toilet facilities for the use of the operater.

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sanitary conditions in foundries and metal shops.\* Neither act

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\*Cal. Stats. 1921 p. 253.

This act states that "the owner, employer or manager of every foundry or metal shop....where five or more men are employed, shall establish and maintain, for the use of the employees, wash bowls, sinks, and other appliances, connected with running water, and also a water closet connected with running water. The room where the wash bowls are installed, and the water closet shall be properly ventilated and protected, so far as may be reasonably practicable, from the dust and fumes of the foundry or metal shop.\*"

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had any provision for enforcement until 1929. In that year the latter measure was placed under the supervision of the over-worked health officers of the cities and counties.\*

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\*Cal. Stats. 1929 Ch. 348.

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The Sanitation of Labor Camps. One of the most important health measures enacted by the legislature for the protection of workers is an act requiring labor camps to be clean and sanitary. Inasmuch as labor camps are living places, the subject of their sanitary condition might be considered as not properly a concern of labor legislation. As a matter of fact, however, the labor m/cap is essentially a labor matter. The worker must usually live where a camp is maintained and in all respects it becomes an integral part of the work place.

Until 1913 these camps were subject to no regulation. It was known that conditions in many of them were bad but the extent of the evil was not generally recognized. In 1912 the Labor Commissioner stated that many labor camps in the state were being kept in an insanitary and unhealthful condition and that they were

sources of disease. He recommended the passage of some regulatory measure.\* A bill was subsequently drafted by the Bureau of Labor

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\*Report of the Bureau of Labor Statistics, 1912, p. 15

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Statistics and was endorsed by the trade unions of the state.\*

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\*Transactions of the California State Federation of Labor Convention, October 7-12, 1912, p. 37.

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The proposed measure was easily enacted by the 1913 legislature. The requirements under the new law, however, were few and indefinite.\* Moreover the provisions for enforcement was

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\*Cal. Stats. 1913 Ch. 182.

Section one required that "in or at any camp where five or more persons are employed the bunkhouses, tents and other sleeping places of such employees shall be kept in a cleanly state and free from vermin and matter of an infectious and contagious nature, and the grounds around such bunkhouses, tents or other sleeping places shall be kept clean and free from accumulations of dirt, filth, garbage and other deleterious matter."

Section two provided that "every bunkhouse, tent or sleeping place.....shall contain sufficient airspace to insure an adequate supply of fresh air for each person occupying such bunkhouses, tent or other sleeping places. The bunks or beds shall be made of iron, canvas or other sanitary material and shall be so constructed as to afford reasonable comfort to the persons occupying such bunks or beds."

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faulty.\* The State Board of Health was made responsible for the

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\*Under the original bill, the enforcement of the act devolved upon the Bureau of Labor Statistics, but an amendment in the legislature placed enforcement in the hands of the State Board of Health.

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administration of the act but was given no appropriation for enforcement.



On August 3, 1913, a riot occurred among the hop pickers employed on the Durst hop ranch near Wheatland, Yuba County, California. During the riot two police officials and two pickers were killed.\* It was the claim of the pickers that one of the primary causes of discontent in their ranks, leading to riot and

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\*For a complete description of this riot see Parker, Carlton, The Casual Laborer, 1920, pp. 171-199.

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and bloodshed, was the insanitary conditions of the camp in which they were segregated on the ranch.\* This Wheatland riot focused

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\*The report of the Commission of Immigration and Housing described the conditions at the camp as follows: "In previous years there had often been a lack of pickers when the hops were ripe, but in the season of 1913, by means of coastwide advertising, the Durst brothers succeeded in assembling an army of nearly 3,000 persons, and at the time of the riot there were probably 2,800 workers in camps, about half of them women and children. Of this number, fully 1,000 were foreign born males, including Syrians, Mexicans, Italians, Porto Ricans, Poles, Hindus and Japanese. The American element was made up of wandering casual workers, poor persons from near-by towns, owners of small ranches in the foothills of the Sierras, roving hoboes and a few families of the better laboring class from towns and cities, who often go to the hop fields for their summer 'outing'.

When this motley horde arrived at the Durst ranch, they found a desolate, sunbaked field, without shelter from the burning California sun. There were a few tents to be rented at 75 cents per week, but the majority had to construct crude shelters of poles and gunny sacks, called 'bull pens' while many were compelled to sleep in the open on piles of vines or straw.

There was a great lack of toilets and even those furnished were but crude boxes set over shallow holes in the ground. Many of them had no seats with holes, and a rough scantling nailed across the box took the place of the usual arrangements. These toilets soon became foul. They were also used as receptacles for the garbage from the camp, as well as for the offal of slaughtered animals, and swarmed with blue flies and were alive with maggots. These unspeakable toilets were used indiscriminately by both sexes, and at times women and children were forced to stand in line and wait their turn. There was some dysentery, or 'summer complaint', and frequently women and children were compelled to relieve nature among the vines and in the fields, and often in plain view of rough men. (The scarcity of pure drinking water has been noted elsewhere). Report of the Commission of Immigration and Housing, 1914 p. 18)

Public attention on the matter of camp conditions and showed the urgent need for better supervision and regulation. The California Progressive Campaign book of 1914 devoted some attention to the subject. In the book it was stated that the "living conditions of labor camps, whether found on construction jobs, at the hop fields, at canneries, fruit orchards or lumber camps, in California, are with small exception hygienically deplorable. They are fruitful causes of labor trouble and agitation; the Wheatland hop-pickers murders being the direct result of intolerable camp sanitation. This brings out clearly a grave danger in California. If living conditions among the camps in this coming summer are not bettered, the I.W.W. promises to 'tie up' the state, and there is fundamental evidence that this is not an idle threat. The labor camp housing and sanitary conditions must be bettered."\*

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\*p. 42.

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In 1914 the Commission of Immigration and Housing with the consent of the State Board of Health took over the administration of the camp sanitation law.

After investigation and study this commission prepared a set of detailed sanitary regulations, much more complete than those contemplated by the law itself, and an attempt was made to have them accepted voluntarily by the employers.\*

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\*Report of the Commission of Immigration and Housing, 1914, pp. 15-21

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As a result of the Commission's disclosures of labor camp conditions the legislature of 1915 so amended the earlier law as to make it more comprehensive and more stringent in its requirements. The principal changes and additions in the law were: (1) The duty of enforcing the law was definitely transferred to the Commission of Immigration and Housing, (2) mess houses were to be kept in a sanitary state and all openings were to be screened, (3) adequate and convenient toilet facilities were to be provided, and (4) garbage and rubbish was to be deposited in sanitary, covered receptacles and was to be emptied daily.\*

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\*Cal. Stats. 1915 Ch. 329.

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The Commission in a systematic manner, went about the task of making inspections and enforcing the provisions of the law and by 1917, Governor Johnson Stated that an almost miraculous improvement had been made in the living conditions of the workers in the labor camps.\*

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\*Biennial Message of Governor Johnson, 1917, p. 26.

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Further improvements were made in the law in 1919 and again in 1921. The most important change in 1919 was the requirement that each camp should be provided with suitable bathing facilities.\*

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\*Cal. Stats. 1919 Ch. 164.

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The changes in 1921 largely pertained to enforcement of the law.\*

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\*Cal. Stats. 1921 Ch. 767.

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Because of the temporary character and inaccessibility of of many of the labor camps in the state, it is often hard for the deputies for the Commission to locate the camps in order to make inspections. The enforcement of the act might be facilitated by requiring all owners of labor camps to register with the Commission.

The camp sanitation law is perhaps better enforced, however, than any of the other measures discussed in this chapter. The reason is that this act has a special provision for its administration with the responsibility for its enforcement definitely placed in one body -- The Commission of Immigration and Housing. Most of the other sanitation acts either have no provision for enforcement or else are left to the already over-worked state, county, or city health boards.