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Untitled Commentary on Federal Child Labor
Amendment Ratification, May 1933
The Child Labor Amendment

The New Jersey Legislature has never taken any motion upon the ratification of the Child Labor Amendment of the United States Constitution. Assemblyman Muir has introduced a resolution, A.C.B. 4 to ratify this Amendment this year.

The misleading character of certain opposition statements distributed from headquarters of manufacturing associations in former years has been recognized in this state. The following facts in connection with the Amendment are offered for the consideration of New Jersey Legislators in voting upon it this year.

Does it prohibit the labor of children up to 18 years?

No, the amendment merely enables Congress to enact legislation on the subject of Child Labor should it seem desirable to do so.

Has Congress ever attempted to enact such legislation?

Yes, through laws in 1916 and again in 1919 before declared unconstitutional.

What standards were established in those laws?

No children under 14 years to be employed in mills, canneries, workshops or factories. No children under 16 to be employed in mines or quarries. Children between 15 and 16 to work not more than 8 hours a day, 6 days a week, with no night work.

Why does the Amendment authorize legislation up to 18 years?

Because a large number of states, including New Jersey, have adopted state laws regulating the employment of children in extra hazardous occupations to 18 years (physically and morally) and the 18-year limit was therefore sanctioned by existing state legislation.

Would the amendment affect the labor of children on the farm?

No, the amendment if ratified would have no such effect. Congress might pass a law after ratification of the amendment by 36 states. There has never been any proposal before Congress for legislation affecting the labor of children on the home farm and there will not be as long as elected representatives are responsible for our laws.

How many states have ratified the amendment?

Up to date 12 states have ratified it. Oregon, Washington, Ohio, North Dakota, Michigan and New Hampshire.

Why is it desirable for New Jersey to ratify the amendment?

Because it would authorize the establishment by law of moderate, uniform standards for the country as a whole. Our manufacturers in the small towns as well as in the cities are in competition with southern mills employing cheap child labor that is not permitted under our own state laws. Therefore a Federal Law would benefit New Jersey.

Why is it particularly important now to revive consideration of the amendment?

BECAUSE CHILDREN SHOULD NOT BE ALLOWED TO DISPLACE ADULTS IN THIS TIME OF UNEMPLOYMENT IN STATS WHERE THEIR OWN LAWS DO NOT CONTROL THE SITUATION.