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Chapter Ind 72

MINIMUM WAGE REGULATIONS FOR ADULT WOMEN AND MINORS

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Ind 72.01 Definitions. (1) The clauses "cities and villages with a population of 3,500 or more" and "cities and villages with a population of 1,000 or more but less than 3,500" include communities and isolated establishments which are within the industrial and commercial areas of such cities, although outside of their territorial limits.

(2) In determining the population of cities and villages the last federal census is controlling.

History: Am. Register, April, 1956, No. 4; eff. May 1, 1956.

Ind 72.02 Minimum rates and method of computation. (1) **MINIMUM RATES.** Except in domestic service and agriculture as provided for in sections Ind 72.03 and Ind 72.04, no employer shall employ any adult woman or any minor in any occupation, trade or industry at a lesser hourly rate than is indicated below:

- (a) In cities and villages with a population of 3,500 or more-- 70¢
- (b) In cities and villages with a population of 1,000 or more but less than 3,500 ----- 60¢
- (c) Elsewhere in the state ----- 50¢

(2) **ALLOWANCE FOR BOARD AND LODGING.** Where board and lodging are furnished by the employer as part payment of wages, an allowance may be made therefor of not more than \$12.75 per week for board and \$6.25 per week for lodging in cities and villages with a population of 3,500 or more; of not more than \$10.75 per week for board and \$5.25 per week for lodging in cities and villages with a population of 1,000 or more but less than 3,500; and of not more than \$8.75 per week for board and \$4.25 per week for lodging elsewhere in the state.

(3) **TIPS.** Tips received from patrons of an employer cannot be counted as a part of the wage in computing the rates prescribed in this order.

(4) **PAYMENT OF WAGES ON OTHER THAN TIME BASIS.** Where payment of wages is made upon a basis or system other than time rate, the actual wage shall not be less than provided for in this order, but if the piece rates paid for any particular kind of work yield to 75% of the women and minors employed thereon three cents per hour more than the minimum hourly rates prescribed in paragraph (1) then such piece rates are deemed adequate for such employes and differences between earnings at these rates and the prescribed hourly rates do not have to be made up by the employer.

(5) **HOME WORK.** Wages paid to home workers shall be in accordance with the rates prescribed in this order.

(6) **DETERMINATION OF COMPLIANCE.** The payroll period shall be taken as the unit in determining compliance with the minimum rates prescribed in this order.

(7) **ATTENDANTS IN SANITARIUMS.** Attendants in sanitariums who are required to be on duty for more than 55 hours per week, shall be paid, as a minimum, for 55 hours per week.

History: Am. Register, April, 1956, No. 4; eff. May 1, 1956.

Ind 72.03 Domestic service in private homes. (1) WEEKLY BASIS. The minimum wage of adult women and minors employed in domestic service in private homes for 45 or more hours per week shall be computed on a weekly basis as follows:

- (a) In cities and villages with a population of 3,500 or more:
 - 1. If board only is furnished.....\$18.75 per week
 - 2. If board and lodging are furnished.....\$12.50 per week
- (b) In cities and villages with a population of 1,000 or more but less than 3,500:
 - 1. If board only is furnished.....\$16.25 per week
 - 2. If board and lodging are furnished.....\$11.00 per week
- (c) Elsewhere in the state:
 - 1. If board only is furnished.....\$13.75 per week
 - 2. If board and lodging are furnished.....\$ 9.50 per week

(2) **HOURLY BASIS.** The minimum wage of adult women and minors employed in domestic service in private homes for less than 45 hours per week shall be computed on an hourly basis as follows:

- (a) In cities and villages with a population of 3,500 or more... 70¢
- (b) In cities and villages with a population of 1,000 or more but less than 3,500..... 60¢
- (c) Elsewhere in the state 50¢

(3) **CASUAL EMPLOYMENT IN PRIVATE HOMES.** The minimum rates prescribed by this order shall not apply to casual employment of minors under eighteen years of age in or around a home in work usual to the home of the employer and not in connection with or a part of the business, trade or profession of the employer, such as caring for children, mowing lawns, raking leaves, shoveling snow or other similar odd jobs. For the purpose of this paragraph "casual" employment shall mean the employment of a minor under eighteen years of age outside school hours of not more than 5 consecutive hours and not more than 10 hours per week.

History: Am. Register, April, 1956, No. 4; eff. May 1, 1956.

Ind 72.04 Agriculture. (1) WEEKLY BASIS. The minimum wage of adult women and minors employed in agriculture other than industrialized agriculture for 45 or more hours per week shall be computed on a weekly basis as follows:

- (a) If board only is furnished.....\$13.75 per week
- (b) If board and lodging are furnished.....\$ 9.50 per week
- (c) If board, lodging and washing are furnished...\$ 8.75 per week

(2) **HOURLY BASIS.** The minimum wage of adult women and minors employed in agriculture other than industrialized agriculture for less than 45 hours per week shall be computed on an hourly basis at 50¢ per hour.

(3) INDUSTRIALIZED AGRICULTURE.

(a) The minimum hourly wage of adult women and minors employed in industrialized agriculture shall be not less than 50¢.

(b) Industrialized agriculture for the purpose of this order is defined as meaning truck gardens, cherry and other fruit orchards, gardens conducted or controlled by canning companies and the culture or harvesting of sugar beets and cranberries.

(c) Where the payment of wages is made upon a basis or system other than time rate, the actual wage shall not be less than provided for in this order, but if the piece rates paid for any particular kind of work yield to 75% of the women and minors sixteen years of age or over employed thereon three cents per hour more than the minimum hourly rates prescribed in section Ind 72.02 for such employes then such piece rates are deemed adequate for such employes and differences between earnings at these rates and the prescribed hourly rates do not have to be made up by the employer.

History: Am. Register, April, 1956, No. 4; eff. May 1, 1956.

Ind 72.05 Minimum rates and pay hours; adult women and minor operators in telephone exchanges. (1) **MINIMUM RATES.** The minimum hourly rates to be paid by telephone exchanges to adult women and minors employed as operators are those prescribed in section Ind 72.02 of the Minimum Wage Regulations for Adult Women and Minors.

(2) **PAY HOURS.** (a) For the 16 hour period 6 A.M. to 10 P.M. of the same day, telephone exchanges shall pay their operators as a minimum for not less than the number of hours indicated in the following schedule:

Size of exchange	Hours to be counted as pay hours
1-199 telephones -----	12
200 telephones and over -----	16

(b) For the 8 hour period 10 P.M. of one day to 6 A.M. of the following day, telephone exchanges shall pay their operators as a minimum for not less than the number of hours indicated in the following schedule:

Size of exchange	Hours to be counted as pay hours
1-199 telephones -----	3
200-399 telephones -----	4
400-599 telephones -----	6
600 telephones and over -----	8

(3) **PRIVATE RESIDENCE.** In telephone exchanges which are located in a private residence and operated primarily by members of the household, the payment of a wage for the operation of the switchboard of \$1.00 per month per phone will be regarded as a compliance with the minimum wage law, but if outside help is employed, such help must be paid upon the basis outlined in subsections (1) and (2).

(4) **CLASSIFICATION.** In determining the classification of an exchange, all telephones served by the exchange must be counted. This includes all main telephones connected to the central office equipment, all extension telephones including P B X extensions and all telephones

for which switching service is performed on lines not owned by the exchange giving the switching service.

History: Cr. Register, May 1956, No. 5; eff. June 1, 1956.

Ind 72.09 Permanent records to be kept by the employer. Each employer of women and minors shall keep permanent records showing the following facts concerning each woman and minor employe:

- (1) Name and address.
- (2) Age.
- (3) Date of birth of all minors.
- (4) Dates of entering and leaving employ.
- (5) Time of beginning and ending of work and of meal periods each day and total number of hours worked per day and per week.
- (6) Wages paid per payroll period.
- (7) Output of employe, if paid on other than time basis.

History: Am. Register, April, 1956, No. 4; eff. May 1, 1956.

Ind 72.10 Posting of order. On a form prescribed by the commission, every employer shall keep posted a copy of this order in a conspicuous place.

History: Am. Register, April, 1956, No. 4; eff. May 1, 1956.

Note 1. Employers should keep permanent records long enough to protect themselves. The commission feels that if employers keep records for four years, it would be sufficient.