

REPORT FROM THE SELECT
COMMITTEE ON
TOP ASSISTANTS

Vol. I.—REPORT
TOGETHER WITH THE PROCEEDINGS
OF THE COMMITTEE

*Ordered by The House of Commons to be Printed
18th September, 1931*

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ORDERS OF REFERENCE.

[Wednesday, 19th November, 1930]:—Shop Assistants,—*Ordered*, That a Select Committee be appointed to consider and report upon proposals for limiting the hours of work of shop assistants and improving the conditions of their employment, and for that purpose to inquire—

(1) what are the hours at present usually worked in the various distributive trades, both retail and wholesale;

(2) what would be the probable economic effects of a statutory 48-hours week (with a limited amount of overtime) upon the distributive trades as regards organisation of work, wages, employment, and prices; by what methods it could be applied to various kinds of trade; and what arrangements would be feasible for enforcing it;

(3) whether conditions of employment exist in any classes or descriptions of shops in respect of matters affecting the health and welfare of the assistants which make it desirable that powers of regulation and supervision should be given by statute.

Ordered, That the Committee do consist of Eleven Members.

Committee accordingly *nominated* of,—Major Braithwaite, Mr. Charles Buxton, Mr. Rhys Davies, Colonel Gault, Mr. William Hirst, Sir Alfred Law, Mr. Philip Oliver, Sir Gervais Rentoul, Mr. James Stewart, Mr. Arthur Taylor, and Mr. Womersley.

Ordered, That the Minutes of Evidence taken before the Select Committee on Shop Assistants of last Session be referred to the Committee.

Ordered, That the Committee have power to send for persons, papers, and records.

Ordered, That Three be the quorum.—(Mr. Kennedy.)

[Tuesday, 24th March, 1931]:—Shop Assistants,—*Ordered*, That Mrs. Manning be added to the Select Committee on Shop Assistants.—(Mr. Kennedy.)

NOTE ON ABBREVIATIONS.

The following is the explanation of the abbreviations used in the marginal references in the Report:—

Dep. Inv.=Departmental Investigation, and refers to an Investigation by the Home Office and the Ministry of Labour into Hours and Conditions of Employment in Shops. The Reports of the Investigators are published as Appendix A to this Report, and the marginal references are to the pages of the Appendix. (See Vol. II: Appendices).

S.R.=Special Report, and refers to the Special Report, together with Minutes of Evidence, of the Select Committee on Shop Assistants appointed last Session, on 8th May, 1930. Throughout, the references are to the number of the question, where it is not specifically stated that the number of the page is referred to. Where a reference is not followed by the abbreviation (S.R.), it is taken from the Minutes of Evidence of the present Session. (See Vol. III: Minutes of Evidence).

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REPORT.

The Select Committee appointed to consider and report upon proposals for limiting the hours of work of shop assistants and improving the conditions of their employment, and for that purpose to inquire :—

(1) what are the hours at present usually worked in the various distributive trades, both retail and wholesale ;

(2) what would be the probable economic effects of a statutory 48-hours week (with a limited amount of overtime) upon the distributive trades as regards organisation of work, wages, employment, and prices ; by what methods it could be applied to various kinds of trade ; and what arrangements would be feasible for enforcing it ;

(3) whether conditions of employment exist in any classes or descriptions of shops in respect of matters affecting the health and welfare of the assistants which make it desirable that powers of regulation and supervision should be given by statute ;

have agreed to the following Report :—

1. Your Committee were appointed to continue and bring to a conclusion the work of the Select Committee appointed last Session with the same Order of Reference, and consisting of the same Members. The Minutes of Evidence taken before that Committee, and printed together with their Special Report,* were referred to Your Committee by Order of the House. The work of the two Committees can thus be treated, for all practical purposes, as the work of one Committee, interrupted by the end of a Session of Parliament.

2. The two Committees have held 47 meetings, at 33 of which they heard evidence. Eighty-seven witnesses appeared before the Committees. A list of the witnesses heard by the Committee appointed last Session appears on page viii of their Special Report, and a list of those heard during the present Session will be found on page 102 of this Report. Further details relating to the witnesses examined, and to other evidence given to the Committees, will be found in the Section of this Report entitled " Evidence Obtained by the Committee."

* H.C. 176, Session 1929-30.

I.

History of Past Legislation and Inquiries in Great Britain and Summary of Present Law.

A.—PRELIMINARY.

3. Since Your Committee have the honour to be the first Select Committee of this House appointed to consider in general, and to report upon, the hours and conditions of employment of shop assistants, they consider it desirable to make their survey as complete as possible by giving some account of previous legislation or attempted legislation in this country, and of its connection with the public opinion of the time.

B.—PUBLIC OPINION.

4. The limitation of the hours of labour in shops is no new question. The need to regulate these hours began to be recognised not much less than a century ago. The paid assistants were then relatively few, and the shopkeeper himself was the person principally concerned.

5. The following extract from *The Age of the Chartists* by J. L. and Barbara Hammond, gives an interesting picture of the situation in the Forties of the 19th Century :

“ Another sign of the times was the introduction of the Saturday half-holiday for clerks and the agitation for the earlier closing of shops. In 1844 the Manchester merchants decided to make Saturday a half-holiday for all their employees, and this event was celebrated by a soirée in the Town Hall. This was followed by the publication of special guides to the surrounding country, such as *The Half-Holiday Handbook*, of which the compiler said, ‘ It is published with a view to supplying a source to which the numerous class—now by means of that generous boon of the Manchester Merchant Princes, the half-holiday—enfranchised from labour and confinement, may resort for a guide to excursions and rambles.’ A movement for early closing of shops seems to have spread all over England at this time. A monthly review, *The General Advertiser*, was founded in 1846, which called itself ‘ A Journal of Literature, Science, and Art, and the advocate of an abridgment of the hours of business in all trades with a view to the physical, intellectual and moral improvement of the Industrial Classes.’ This paper reported that nearly every town of importance in the kingdom had associations for abridging the hours of business. The Liverpool Market Committee gave orders for closing at seven. In this agitation all parties combined : Cobden and Manners, Hook and Baines, the Dean of Manchester and the great Nonconformist leader, Dr. Vaughan. It was demanded that shops should close at seven in the winter and eight in the summer.”

6. A valuable account of later developments is given in the Report published by the International Labour Organisation on the Hours of Work of Salaried Employees (1929). We learn that "towards the end of the nineteenth century, not infrequent references were made to shop assistants as being one of the classes of workers for whom a statutory reduction of working hours could be contemplated without misgiving, and was indeed urgently required."

7. The Report says further :

"Many arguments, of which only the principal ones will be mentioned here, were put forward in favour of reducing working hours. It was pointed out, for instance, that the premises in which business was carried on were often unhealthy, particularly in the case of small establishments, in which, moreover, hours of work were generally the longest of all. On this point Mr. Thomas Sutherst, President of the Shop Hours League, wrote in 1884, 'I do not wish to make it appear that shop-keeping is an unpleasant occupation, but that which is healthy and agreeable for a reasonable time becomes irksome and injurious if continued for too long a period. It often happens, too, that shop assistants are kept for an hour or more after closing time to put away stock or tidy the shop, and their hours of work are correspondingly lengthened; and work in large shops is no less exacting than work in small shops.' According to a book on the eight-hour day published in 1907 (*La Journée de Huit Heures*, by Marcel Lecoq), 'there can be no doubt in the minds of all who have first-hand knowledge of the conditions in which these employees work that they are the victims of what can only be described as sweating. Everyone must know that they have to be all attention the whole day through, to satisfy the most extraordinary desires and whims of customers. They never have a moment's rest. As soon as one customer is served, they have to turn to another, or even several others, for it often happens that they must attend to several at the same time. They are always on their feet, and they have to move about in a crowd whose composition is constantly changing until late in the evening, and all they have to refresh themselves with is foul air laden with dust and exhalations. Work done in such circumstances demands a robust constitution and involves an expenditure of nervous energy such that very few people can stand with impunity.' Working conditions were equally hard for shop-boys, bazaar assistants, hairdressers, chemists, assistants in provision shops and restaurants, and many other classes of employees as well.

"Women and young persons, and especially children, were bound to feel the ill effects of such working conditions. Mr.

Lawson Tait, a famous specialist in women's diseases, writes in a letter to Mr. Sutherst: 'From a large hospital experience I can say that the prolonged hours of labour to which young women are subject are extremely detrimental to their health.' Another practitioner, Dr. Richardson, said in an address delivered before the Royal Sanitary Institute in 1890: 'The effects of shop labour of the kind named on females under twenty-one, or on males under 21, is of necessity injurious, as impeding the growth and the natural development of the organs of the body. To the female, the mischief is of the kind calculated to extend to the offspring she may bear In my opinion, eight hours daily is the maximum time during which labour ought to be carried on in shops.' "

8. Undoubtedly immense improvements have been made since this was written. The very fact that they have been made shows the practicability of regulation and the possibility of carrying it still further.

C.—PARLIAMENTARY ACTION.

9. It was not until 1873 that the first Bill, relating to hours and conditions of employment in shops, was introduced in this House. In that year, Sir John Lubbock, supported by three other distinguished men, Mr. Thomas Hughes, Mr. John Morley, and Mr. A. J. Mundella, introduced a Bill which proposed to apply to women, young persons and children employed in shops the provisions of the Workshop Acts relating to hours and conditions of employment.

10. It further provided that these persons should not work on Good Friday or Christmas Day, and that they should be allowed four whole or eight half-holidays a year. The Bill did not reach a Second Reading, and no other Bill relating to shops was introduced until the Session 1884-5, when Sir John Lubbock, supported by Lord Randolph Churchill and others, brought in a Bill to extend some of the provisions of the Factory Acts to shops. This Bill was withdrawn almost immediately.

11. In the following Session the first Act relating to Shops was given the Royal Assent. Sir John Lubbock was again responsible for the introduction of the Bill, which was referred to a Select Committee of which he was made Chairman. This Committee made a Special Report, in which they stated: "that the practice of keeping open shops until a late hour of the evening prevails extensively; that while shops used by the wealthier classes generally close at a comparatively early hour, in neighbourhoods where the shops are frequented by the working classes, they are kept open until very late, especially on Saturday. It follows in such cases that all the persons employed, including young persons, must be kept on their feet for a great many hours, and that where shops

are crowded and ill-ventilated, such prolonged labour must be exhausting and often injurious to health, especially in the case of girls." The provisions of the Bill, which received the Royal Assent as the Shop Hours Regulation Act, 1886, were, however, confined to limiting the hours of young persons under 18 employed in shops to 74 a week inclusive of meal-times, with a penalty of £1 on employers for a breach of the Act. This is still the only statutory limitation of the working hours of any class of shop assistant, as distinct from the hours of opening of the shops, if we except provisions as to half-holidays and meal-times, and the special limitation of hours in licensed premises under the Shops Act, 1913.

12. The Act of 1886 was temporary, and was continued annually by Expiring Laws Continuance Acts until 1892. In that year another Private Member's Bill was introduced, which proposed to extend to women assistants the provisions of the Act of 1886, to make those provisions permanent, and to provide for the appointment of inspectors. The Bill was read a second time, after a close division, and was referred to a Select Committee, of which Mr. Stuart Wortley was Chairman. A number of the witnesses before this Committee pointed out the difficulty of limiting the hours of women without limiting those of men, and the Committee accordingly stated, in a Special Report, "In view of the conflict of evidence, and of the limited amount of time remaining at our disposal, we do not feel that we can at present take the responsibility of recommending the inclusion of adult women in the Bill."

13. As a result, the Shop Hours Act, 1892, merely made permanent the provisions of the Act of 1886, and permitted local authorities to appoint inspectors to see that the Act was complied with. Amending Acts in 1893 and 1895 allowed local authorities to defray their expenses out of the county or borough fund, and established a penalty for failure to exhibit a notice of the provisions of the main Act in each shop.

14. Meanwhile, the Early Closing Association had been doing valuable work in educating the public against their bad habits of late shopping, and in persuading shopkeepers that early closing would be to their own benefit. Many shopkeepers would have been very glad to close early, but a minority held out for a continuance of the existing hours, and prevented the attainment of a common agreement which would have facilitated legislation. There was a strong body of opinion which was opposed to the coercion of this minority in the interests of the shop world as a whole, and the public, in spite of the example of "Women's Early Shopping Leagues," was not inclined to give up its hours of unrestricted shopping until forced to do so.

15. During the last decade of the 19th Century, no less than 22 Private Members' Bills were introduced, either "to amend the Law relating to Shops," or "to provide for the Earlier Closing of

Shops," or "to provide that all Shop Assistants shall have one Half-Holiday in each week," or "to enable Local Authorities to establish a Weekly Half-Holiday for shops." None of these ever reached the Statute Book, and only three of them received a Second Reading.

16. The House was, on the other hand, willing to agree in 1893 to a Resolution, moved by Sir John Lubbock, "That, in the opinion of the House, the excessive and unnecessarily long Hours of Labour in Shops are injurious to the comfort, health, and well-being of all concerned; and that it is desirable to give to Local Authorities such powers as may be necessary to enable them to carry out the general wishes of the shop-keeping community with reference to the Hours of Closing." The Resolution was agreed to without a division, and only one dissentient voice was heard in debate. Eleven years later, effect was given to the opinion of the House by the Shop Hours Act, 1904.

17. The debate on this Resolution was notable for views put forward by leaders on both sides of the House, which, in the opinion of Your Committee, are as true to-day as they were in 1893. The Home Secretary, Mr. Asquith, said: "I have come to the conclusion long ago that this is one of those cases in which voluntary combined action is ineffective for the end in view, and that it is necessary to bring into operation some force more effective than public opinion to operate on traders."

18. In 1899, the Seats for Shop Assistants Act was passed. The Bill was introduced by Sir John Lubbock, and passed easily through all its stages as an agreed Measure. The Act required the provision of seats in all rooms where female assistants were employed for the retailing of goods to the public, in the proportion of one seat to every three female assistants employed in the room. This is still the only legislation, other than Local Acts, which regulates the conditions of welfare of employees in shops.

19. Sir John Lubbock, who had for many years agitated for early closing and better conditions in shops, was, in 1900, called up to the House of Lords. There, as Lord Avebury, he successfully moved in 1901 for the appointment of a Select Committee "to inquire into the length of the hours of labour in shops; and whether any, and if so, what steps should be taken to diminish them."

20. The Committee reported that the evidence had satisfied them that "the subject is one of urgent importance, and that the existing evils show no general or sufficient sign of amendment. In many places the hours during which shops are open range as high as 80 to 90 per week, in addition to which some time is occupied in clearing up, putting away the goods, and packing up the articles purchased. Eighty-four hours per week of six days amount to fourteen hours a day, and it is almost self-evident that such long hours.

especially when the shops are crowded, ill-ventilated, and lighted by gas, must (as pointed out by the House of Commons Committee in 1886), be injurious, and often ruinous to health, especially in the case of women."

21. In accordance with the principle of local option, which the recent growth of local government had made popular, the Committee recommended that power should be given to local authorities to make Orders for the closing of shops, and effect was given to this recommendation by the Shop Hours Act, 1904.

22. This Act empowers local authorities to make Closing Orders fixing the hours on the several days of the week at which either all shops (with certain exceptions*) or shops of any specified class were to be closed for the serving of customers. The hour so fixed might not be earlier than 7 p.m. on any day of the week except one, when it might be not earlier than 1 p.m. Before making a Closing Order, the local authority had to be satisfied that there was a *prima facie* case for making the Order, to give notice of their intention to make an order and specify a period for lodging objections, to hear such objections, and to satisfy themselves that it was expedient to make the Order and that it had the support of the occupiers of at least two-thirds of the shops affected. The resulting Order, when confirmed by a central authority (in England, a Secretary of State), had the force of an Act of Parliament, and any person contravening the provisions became liable to a penalty.

23. This Act was regarded as unsatisfactory in many quarters, as it laid no compulsion on local authorities to make Closing Orders. By 1907, only 112 local authorities had made Orders, affecting about 15,000 out of some 800,000 shop assistants, and 364 other local authorities had taken no action at all. The Shopkeepers' Association was strongly in favour of more drastic legislation, to remedy the anomalous position which had arisen in urban areas under the control of several local authorities, where a Closing Order might be in operation on one side of the street and not on the other. In 1907, the House resolved unanimously "That in the opinion of this House, more drastic legislation with regard to the closing of Shops and the Hours of Shop Assistants is required." Between 1906 and 1910, Sir Charles Dilke, who had for many years led the party which favoured compulsion rather than local option, annually introduced a Bill to give effect to this principle, and to limit the hours of work of shop assistants. In 1908, the Second Reading of a Bill to establish a 60-hour week for shop assistants, and to compel local authorities to issue Closing Orders affecting all shops, was carried by 190 votes to 45. The Bill got no further, but during the debate the Home Secretary promised to introduce

* Chemists, licensed premises, refreshment rooms, tobacconists, newsagents and railway bookstalls.

a Government Bill in the following year. Government Bills were introduced in 1909, 1910 and 1911, but only the third of these was proceeded with, and resulted in the Shops Act, 1911.

24. Mr. Masterman, in moving the Second Reading of the Bill of 1911, said that it "dealt with problems of social reform, of which none probably before us are more complex, and few more urgent." Since the Government introduced their Bill in 1909, it had undergone continual modification in an attempt to reconcile the large numbers of conflicting interests involved, and the 1911 Bill was said to represent the greatest common measure of agreement. Its provisions included (i) a working week for shop assistants of 60 hours, exclusive of meal-times; (ii) the grant of powers to the Home Secretary to send down representatives to any district to facilitate the making of draft Closing Orders; (iii) an attempt to limit the amount of Sunday trading; (iv) the provision in shops of sufficient means of ventilation and proper and sufficient sanitary conveniences.

25. The Bill was read a Second time without a division. After 16 days in Committee, it was reported on 20th July, but though the House sat until 22nd August and resumed on 24th October, the Report stage was not taken until 8th December, a week before the end of the Session. The intervening time was mainly occupied with the later stages of the National Insurance Bill. As a result, two-thirds of the Bill, including all the provisions referred to above, were dropped by the Government on Report "owing to the pressure of time and the period of the year." The mutilated Bill went through the House of Lords almost without debate. The Act which received the Royal Assent a few days later made the weekly half-holiday compulsory for all shop assistants, and fixed the meal intervals which must be allowed to them. It also provided for the closing of all shops (with a few exceptions) for a weekly half-holiday on one afternoon in each week, and empowered local authorities to fix, by Order, the day on which shops must be so closed.

26. In the following Session, the provisions of the Shops Regulation Acts, 1892-1911, were consolidated in the Shops Act, 1912.

27. In 1913, a Private Member's Bill, to amend the Act of 1912 in its application to premises for the sale of refreshments, passed easily through all its stages, and received the Royal Assent as the Shops Act, 1913. This Act gave the occupier of premises, whether licensed or not, where refreshments are sold, the option of employing his assistants for a 65 hours working week, exclusive of meal-times, or of carrying out the provisions of the Act of 1912. Special provision was made for meal-times and for 58 whole holidays for assistants in the year, including 32 on week-days.

28. The next stage in the limitation of the hours of opening of shops was the outcome of the War, when it became necessary to restrict the use of artificial light. An Order was made in October, 1916, under the Defence of the Realm Act, which required all shops (with a few necessary exceptions) to be closed at 9 p.m. on Saturday and at 8 p.m. on every other day of the week, subject to the statutory half holiday on one day.* This Order was continued in force from time to time until 1920, when it would in the ordinary course have expired with other emergency legislation.

29. In 1920 a Private Member's Bill was introduced which sought to continue the system of compulsory early closing with the substitution of 8 p.m. on Saturday and 7 p.m. on other days for the existing hours. The Bill was read a Second time and passed through Committee, but serious amendments were made on Report, and the Bill was dropped. Compulsory early closing had, however, proved so beneficial to shopkeepers and their assistants, and the desire for a continuance of the system was so general, that the Government introduced a Bill to continue the Order in force temporarily, and this became law as the Shops (Early Closing) Act, 1920. This Act made no change in the existing arrangements, except that it gave power to the Secretary of State to suspend the operation of the Order for such days as he thought fit at the Christmas season, or in connection with any other special occasion, and transferred the duty of enforcement from the Police, who had been responsible under the Defence of the Realm Act, to the local authorities, who were responsible under the Shops Act, 1912.

30. The Act of 1920 was amended in its application to the sale of fruit, table water, sugar confectionery and ice cream by the Shops (Early Closing) Act (1920) Amendment Act, 1921, which fixed 10 p.m. on Saturday and 9.30 p.m. on other week-days as the closing hours for the sale of these articles. The Bill was introduced by a Private Member, and went through all its stages without discussion. Effect was thus given to an agreement which had been reached between retail confectioners and theatre managers.

31. The Acts of 1920 and 1921 were temporary Acts, and were renewed annually by the Expiring Laws Continuance Acts. Agitations arose from time to time in certain quarters for a repeal of the Early Closing Acts, and in 1927 a Departmental Committee was appointed to inquire whether it was desirable or not that they should be made permanent, with or without modifications. The

* See the Report of the Departmental Committee of 1927 on the Shops (Early Closing) Acts, 1920 and 1921, for further details of the history of this Order.

Committee, after considering and rejecting other methods of dealing with the matter, recommended that compulsory early closing on the lines of the Order enacted in the Act of 1920 should be made permanent. Effect was given to the Committee's recommendation in the Shops (Hours of Closing) Act, 1928, whose provisions are set forth in the " Summary of the Present Law " below.

32. The idea of limiting the hours of employment of shop assistants had very nearly been put into practice in 1911. During the post-War period it once more came to the fore. In 1919, a Government Bill was introduced, whose object was to create a 48-hour working week for all salaried employees, but it was not proceeded with. It was not until 1926 that the first of a series of Shops (Hours of Employment) Bills was introduced. The Bill introduced last Session was read a Second time on 21st March, 1930, but was not proceeded with, for on 8th May the Select Committee was appointed, whose work Your Committee have the honour to complete.

33. The two salient facts which emerge from this survey of the history of Shop Legislation are :—

(1) That successive Governments have tended to carry out other parts of their programmes at the expense of Shop Legislation, even when the House of Commons, by Resolution or otherwise, had shown itself in favour of a change.

(2) That the legislation protecting the position of shop assistants is considerably less in scope than the legislation protecting the position of workers in factories or workshops.

34. Twenty years ago, the Government's proposals to limit the hours of shop assistants and to improve the surroundings in which they worked, which even then represented a measure of agreement between the parties involved, failed to reach the Statute Book owing to pressure of time and Parliamentary business. Your Committee venture to hope that, having regard to the argument of past history no less than that of present necessity, Parliament will see fit to delay no further in legislating for the needs of workers in shops.

D.—SUMMARY OF PRESENT LAW.

35. The present general law relating to Shops is contained in :—

(i) The Shops Act, 1912, except Section 5 (4 and 5), Section 12 (1) (c), and the Third Schedule, which were repealed in 1928.

(ii) The Shops Act, 1913.

(iii) The Shops (Hours of Closing) Act, 1928.

(iv) The Hairdressers' and Barbers' Shops (Early Closing) Act, 1930.

36. The general effect of these Acts is as follows :—

(i) On one day in the week, which shall be Saturday unless the local authority shall by Order fix some other day, every shop shall be closed for the serving of customers not later than 9 p.m.

(ii) On any other day in the week every shop shall be closed for the serving of customers not later than 8 p.m.

(iii) Local authorities may appoint different late days for different classes of shops, different parts of the district or different periods of the year.

(iv) The following transactions may take place after the closing hours set forth above :—

(a) The serving of a customer who was in the shop before the closing hour, or who requires an article in the case of illness.

(b) The sale of meals or refreshments of any kind for consumption on the premises.

(c) the sale of newly-cooked provisions and cooked or partly cooked tripe for consumption off the premises.

(d) The sale of intoxicating liquors, tobacco, table water or matches on licensed premises during the licensed hours of opening.

(e) The sale of light refreshments to members, of the audience during the performance at a theatre, cinema, music-hall, etc.

(f) The sale of medicine or medical or surgical appliances, or aircraft, motor or cycle supplies or accessories (for immediate use), so long as the shop is kept open only for such time as is necessary for serving the customer.

(g) The sale of food or stores required by the authorities of His Majesty's forces, or for a ship on her arrival at or departure from a port, so long as the shop is kept open only for such time as is necessary for serving the customer.

(h) Post Office business.

(v) The closing hours for shops selling table waters, sugar confectionery and ice-cream shall be 10 p.m. on the late day and 9.30 p.m. on other days, unless the local authority, at the desire of a majority of the occupiers of such shops in the area, makes an Order for an earlier closing hour.

(vi) A local authority may, at the desire of at least two-thirds of the occupiers of tobacconists' shops in the area, by Order substitute, for the general closing hours, later hours for such shops, so long as they are not later than 10 p.m. on the late day or 9.30 p.m. on other days.

(vii) A local authority may, by a Closing Order applicable to nearly all classes of shops, fix earlier closing hours than the general closing hours set forth above, provided that the hour fixed by a Closing Order is not earlier than 7 p.m. on any day in the week.

(viii) The Closing Order may authorise sales after the closing hour in cases of emergency and in such other circumstances as may be specified in the Order.

(ix) Before making such a Closing Order, the local authority must first be satisfied that a *prima facie* case is made out for making the Order, and secondly give public notice of their intention, specifying a period within which objections may be made. If after considering such objections the local authority are satisfied that it is expedient to make the Order, and that it is approved by the occupiers of at least two-thirds of the shops to be affected, they may make the Order, which shall then be submitted to the Secretary of State, who shall consider any objections, and may either disallow the Order or confirm it with or without amendment.

(x) A local authority may by Order substitute, as regards subsidiary retail business carried on at an exhibition or show, later closing hours for those usual in the area, provided that the later hours are not later than 10 p.m. The local authority may specify in the Order the maximum number of hours that shop assistants shall be employed about such business.

(xi) In seasonal holiday resorts and fishing ports, the local authority shall, at the desire of the occupiers of a majority of shops to be affected, make an Order substituting, during a specified period, later closing hours for the general closing hours, provided that such specified periods do not exceed in the aggregate four months in any one year. The local authority may specify in the Order the maximum number of hours that shop assistants shall be employed in the shops affected, and shop assistants shall be entitled to compensation in the form of holidays with full wages, for time worked beyond the normal closing hours.

(xii) The Secretary of State may by Order, for such periods as he thinks fit, suspend the operation of the general closing hours during the Christmas season or in connection with any other special occasion.

(xiii) A local authority may, in connection with any special occasion, suspend by Order the operation of the usual closing hours in their area, provided that the total periods of suspension do not exceed in the aggregate seven days in any one year.

(xiv) Every shop shall be closed for the serving of customers not later than 1 p.m. on one week-day in every week, and the

local authority may by Order fix the day of the weekly half-holiday. This Order may either fix the same day for all shops, or different days for different classes of shops.

(xv) The local authority may, at the wish of the majority of the occupiers of any particular class of shops in their area, make an Order exempting such shops from the necessity of the above weekly half-holiday, or fix some other time not later than 2 p.m. for closing on the half-holiday.

(xvi) The following trades and businesses are exempted from the provisions as to a weekly half-holiday unless the provisions are extended to shops of any class by an Order of the local authority made at the desire of the occupiers of at least two-thirds of the shops of that class :—

(a) The sale of refreshments, intoxicating liquors, motor cycle and aircraft accessories, newspapers, perishable food and other perishable articles, tobacco and smokers' requisites, medicines and medical and surgical appliances ;

(b) Subsidiary retail trade carried on at an exhibition or show.

(xvii) On at least one week day in each week a shop assistant shall not be employed about the business of a shop after 1.30 p.m.

(xviii) The following intervals for meals shall be allowed to all shop assistants except those employed in a shop exclusively staffed by members of the shopkeeper's family :—

(a) Three-quarters of an hour between 11.30 a.m. and 2.30 p.m. if dinner is taken on the premises, and one hour if it is not.

(b) Half-an-hour between 4 p.m. and 7 p.m. for tea. Intervals for meals shall be arranged so that no person shall be employed for more than six hours without an interval of at least 20 minutes being allowed during the course thereof.

(xix) The occupier of premises for the sale of refreshments may elect to substitute for the ordinary weekly half-holiday and meal intervals for his assistants the following provisions :—

(a) No assistant shall be employed for more than 65 hours in any week exclusive of meal times.

(b) Assistants shall have 32 whole holidays on a week-day, and 26 whole holidays on Sunday, in every year, the holidays being evenly distributed throughout the year, and two half-holidays on a week-day being deemed the equivalent of one whole holiday on a week-day.

(c) Assistants shall have three-quarters of an hour for meals on half-holidays and two hours on other days, and shall not be employed for more than six hours without an interval of at least half an hour.

(xx) No person under the age of 18 years, other than a domestic servant, shall be employed in or about a retail shop or wholesale shop or warehouse, for a longer period than 74 hours, including meal times, in any one week.

(xxi) No person under the age of 18 years shall, to the knowledge of the shopkeeper, be employed in any class of shop (a) having been previously on the same day in full time employment in any factory or workshop, or (b) for a longer period than will, together with the time during which he has been previously employed on the same day in a factory or workshop, complete the hours allowed under the Factory and Workshop Act, 1901.

(xxii) In all rooms of a shop where female shop assistants are employed in the serving of customers, the occupier of the shop shall provide seats behind the counter, or in such other position as may be suitable for the purpose, and such seats shall be in the proportion of not less than one seat to every three female assistants employed in each room.

(xxiii) No person, other than a person of the Jewish religion, shall carry on the business of a hairdresser or barber on Sunday, unless he is attending a sick person, or a person in a hotel or a sea-going ship.

(xxiv) A person of the Jewish religion may carry on the business of a hairdresser or barber on Sunday, provided that he does not do so on Saturday, and that he gives notice of his intention to the local authority.

(xxv) Local authorities are entrusted with the duty of enforcing the provisions of the Shop Acts, and of appointing inspectors to see that the provisions are carried out. Such inspectors have similar powers to those conferred on inspectors of factories and workshops.

II.

The Present Position in Foreign Countries and British Dominions.

A.—LEGISLATION ABROAD.

37. There was before the War, in foreign countries and in the British Dominions, a considerable amount of legislation limiting the hours of work of shop assistants, either separately or together

with other classes of workers. But it is since 1914 that the 48-hour week has generally become the basis of legislation restricting hours of work.

38. The widespread feeling in favour of a reduction of hours at the close of the War and in the years immediately following, particularly 1919, is illustrated by the references to the matter in the Treaties of Peace. Thus, the preamble of Part XIII of the Treaty of Versailles urges "the regulation of the hours of work, including the establishment of a maximum working day and week," and Article 427 mentions "the adoption of an eight-hour day or a forty-eight hour week as the standard to be aimed at where it has not already been attained."

39. In a number of countries shop assistants are included in legislation which deals with other categories of workers as well. Thus in Belgium, Czechoslovakia, and several South American States, the 48-hour week is enforced by a law which applies both to commercial and industrial undertakings. In Poland the 46-hour week is in force for all workers.

40. It may be noted that while the principle of the limitation of hours of work for all workers is embodied in a single enactment, this does not mean that the same regime must be applied to every class of worker. Separate chapters, or separate sections, may deal with the different categories; or else a system of administrative orders or regulations may give scope for varying treatment.

41. Thus in Belgium, a general Act was passed on June 14th, 1921, to provide for an 8-hour day and a 48-hour week in industrial undertakings and in the offices of commercial establishments and for the extension of the Act to certain other establishments by the issue of Royal Orders. Royal Orders have actually been issued extending the application of its provisions to other establishments, including restaurants and public houses (persons occupying a position of trust, as well as members of the family, being exempted); butchers' shops; retail shops; and pastry-cooks' shops.

42. In Germany, Finland and other countries there is, to a greater or lesser extent, separate legislation for "salaried workers," including shop assistants. In Germany, regulations dated 23rd November and 17th December, 1918, and an Order of 18th March, 1919, laid down a 48-hour week (with possible exceptions) for workers in industry and workers in commerce. These were superseded by an Order of 14th April, 1927. Certain sections of the earlier enactments are, however, still independently in operation and, to this extent it may be said that special legislation exists in Germany for salaried workers, both in commerce and industry. The Workers' Protection Bill which is before the German Reichstag would not

only bring conditions as regards hours of work in industry into conformity with the Washington Convention, but would secure such conditions for shop assistants and other "salaried employees" also.

43. It is mainly in the British Dominions (and in certain British Colonies) that special legislation limiting hours of work of shop assistants is to be found. In New Zealand, Natal, Transvaal and Western Australia, hours are limited to 48 for all shop assistants. In the Cape of Good Hope, the Orange Free State, Queensland, and Victoria, the maximum varies from 50 hours to 53. In Alberta, the hours of work of persons employed in shops in towns with more than 5,000 inhabitants are limited to 54. In several other Dominions and Colonies the hours of women and young persons in shops are limited.

44. The definitions, in legislation abroad, of the term "shops" and the term "shop assistant" vary considerably. In some countries "shops" include wholesale establishments and warehouses, but the term is more usually limited to places where retail trade is carried on. "Shop assistant," similarly, is defined in several ways. In many countries it includes not only indoor workers, such as window dressers and clerks, but also, as in Western Australia and New Zealand, persons canvassing for orders and delivering goods. Exemptions are frequently allowed on the ground of family relationship with the employer (but in New Zealand this is not the case) and for the managing staff.

45. Existing practice and legislation in various countries fix normal working hours for a specified period, e.g., eight per day and a 48-hour week; but frequently the "spread-over" system is adopted, the hours of work being allowed to be distributed over a longer period, on condition that the average does not exceed the fixed normal maximum. According to legislation, in some countries the workers may be obliged to make up "lost time," so that the employer may be sure of obtaining the normal hours of work.

46. The term "hours of employment" in Italian regulations covers only "actual work." But in Poland, Latvia, Lithuania and Uruguay it covers all the time in which the employee is at the disposal of the employer.

47. Two kinds of exemption are allowed for in the legislation of certain countries:—

(a) More or less permanent exemptions (or exceptions) on the grounds of such criteria as the number of persons employed in the undertaking; the season; the size of the population in the place where the undertaking is situated; or the continuous character of the work. The International Labour Office Report points out that "the legislation of certain countries, particularly Belgium, has overcome most of the difficulties . . . by different systems of distributing hours, and not by an extension of hours."

(b) Temporary exceptions, intended to meet emergencies and heavy pressure of work.

Most countries lay down an increased rate of pay for such overtime, the usual increase being 25 per cent. of the normal wage.

B.—THE INTERNATIONAL LABOUR OFFICE.

48. In 1929 the Twelfth Session of the International Labour Conference discussed the question of the hours of work of salaried employees, and decided to place it on the agenda of the Thirteenth Conference with a view to further discussion. A questionnaire was prepared and sent out to Governments, and replies were received from 29 countries.

49. A considerable majority of the Governments pronounced in favour of a Draft Convention or a Recommendation on the subject being prepared by the International Labour Office. H.M. Government in Great Britain and Northern Ireland did not agree to the desirability of such a Convention, expressing the view that the conditions of work of the categories covered were too varied for them to be susceptible of inclusion in a single instrument, whether Convention or Recommendation. The Governments of Japan, South Africa and Sweden were also opposed to immediate international action.

50. In some cases (e.g., Belgium, Bulgaria, Denmark, Italy and Poland) the Governments in their replies maintained that all the categories of undertakings mentioned in the questionnaire (including shop assistants) should be included in the Draft Convention. The great majority of the Governments, however, were not prepared for this, and wished to exclude certain categories. But it is significant that in all the replies which accepted the principle of a Draft Convention, commercial and trading establishments were regarded as suitable for inclusion.

51. It appears from the replies that a Draft Convention, covering (a) commercial and trading establishments of whatever kind, (b) mixed industrial and commercial establishments in so far as they are not treated by national law as industrial establishments, and (c) establishments in which the staff is mainly engaged in office work, might be expected to secure the two-thirds majority of votes necessary for its adoption.

52. The inclusion of "hotels, clubs, cafés, restaurants and other refreshment houses" was recommended by Austria, Belgium, Bulgaria, Cuba, Denmark, Estonia, France, Germany, Italy, Poland, Rumania, Spain, Hungary and Jugoslavia. The Government of the Netherlands desired a separate Convention for these establishments.

53. It was recommended by a great majority of the Governments that establishments in which only members of the family are employed should be excluded from the scope of the Draft Convention.

This was to be expected, since family undertakings are already excluded from the legislation of a number of countries on this subject, as well as from laws on hours of work and industry, and from the Washington Convention and other Conventions previously adopted by the International Labour Office. The main argument used for their exclusion was that the increase in the inspectorate which would be required if they were included would be out of proportion to the results obtained.

54. It was agreed by most of the Governments that the definition of "hours of work" should be that contained in the Report issued by the Conference of Ministers of Labour which met in London, in March, 1926, to consider the Washington Hours Convention. At this Conference, which was attended by representatives of the Belgian, French, German and Italian Governments, as well as of H.M. Government, the following definition was arrived at :—

"It is agreed that working hours are the time during which the persons employed are at the disposal of the employer. They do not include rest periods, posted in accordance with Article VIII, during which the persons employed are not at the disposal of the employer."

55. With the exception of Poland, which wanted a 46-hour week, all the Governments agreed on the 48-hour week as the general maximum. Switzerland and Jugoslavia, however, desired that where work was intermittent or consisted in mere attendance, longer hours should be allowed; and India wished for the 64-hour maximum, accorded to certain Eastern countries in the Washington Convention.

C.—THE DRAFT CONVENTION.

56. As a result of the replies of the Governments, it was decided by the International Labour Office to prepare a Draft Convention for submission to the International Labour Conference. It was decided not to make this Draft Convention applicable to "salaried employees" as such, but to make it applicable to all workers employed in :—

(a) commercial and trading establishments of whatever nature;

(b) establishments and administrative services in which the persons employed are mainly engaged in office work;

(c) mixed commercial and industrial establishments, so far as they are not deemed to be industrial establishments.

57. The competent authority in each country is free to exempt from the application of the Convention :—

(a) establishments in which only members of the employer's family are employed;

- (b) persons occupying positions of management ;
- (c) travellers, representatives and agents, in so far as they carry on their work outside the establishment.

(It will be understood that only points affecting shop assistants are included in this summary, and that the Convention deals also with office workers.)

58. " Hours of work " are defined as the time during which the persons employed are at the disposal of the employer. They do not include rest periods during which the persons employed are not at the disposal of the employer. The maximum laid down is 48 hours per week and 8 per day, with certain specified exceptions.

59. Regulations are laid down regarding the making up of lost time in case of a collective stoppage of work (due to local holidays or *force majeure*) ; the increase of the hours of work of persons, such as caretakers, whose work is inherently intermittent ; and the " spread-over " of the 48-hour average over periods longer than a week.

60. Regulations made by public authority may fix longer hours of work (not exceeding 54 in the week) for all or part of the persons employed in establishments where " the nature of the work, the number of persons employed or the size of the population make the provisions of Article 3 (laying down the 48-hour maximum) inapplicable." Similarly the public authority may lay down higher maximum hours for persons engaged in preparatory or complementary work.

61. Temporary exemptions may be granted under certain conditions in the following cases :—

- (a) in case of accident or of *force majeure* ;
- (b) to prevent the loss of perishable goods ;
- (c) for such special work as stocktaking and periodical balancing of accounts ;
- (d) in case of abnormal pressure of work, due to unforeseen circumstances.

In these cases, regulations made by public authority shall lay down the number of hours and the rate of pay (not less than $1\frac{1}{4}$ times the regular rate).

62. As regards the question of enforcement, the Governments must ensure sufficient inspection. Moreover, certain provisions included in the Washington Convention are embodied in the Draft Convention. These provisions stipulate that employers shall be required :—

- (a) to notify in some manner approved by the Government the times at which work is to begin and end ;

(b) to notify in the same manner the rest intervals allowed during the working period which are not reckoned as part of the hours of work ;

(c) to keep a record of all overtime and of the payments made in respect thereof.

63. Draft Recommendations were also submitted to the International Labour Conference, urging upon countries where there is no statutory regulation of hours of work of persons employed in hotels, restaurants, boarding houses, clubs, cafés and other similar establishments, and in places of public amusement, the desirability of making special investigations on the subject.

III.

Scope of present Inquiry.

A.—DEFINITION OF TERM " SHOPS."

64. In Shop legislation before 1899, the word " shops " meant retail and wholesale shops, markets, stalls and warehouses in which assistants are employed for hire, and included licensed public-houses and refreshment establishments of every kind.

65. In the Seats for Shop Assistants Act, 1899, and in subsequent Shops Acts, the term was used solely to cover the retail distributive trades, except that the provisions of earlier Acts, relating to the limitation of hours of employment of young persons, consolidated in the Shops Act, 1912, still carried the wider interpretation.

66. Your Committee note that in their Order of Reference there is a reversion to the definition used in the earlier legislation. They have acted accordingly, and have enquired into the hours and conditions in wholesale shops, markets, stalls and warehouses as well as those in the retail distributive trade.

B.—DEFINITION OF TERM " SHOP ASSISTANT."

67. In the Shops Act, 1912, the expression " shop assistant " means any person wholly or mainly employed in a shop in connection with the serving of customers or the receipt of orders or the despatch of goods.

68. In the Shops (Hours of Employment) Bill, introduced in Session 1929-30, the following definition is given : " The expression shop assistant means any person wholly or mainly employed *in connection with* any shop for the serving of customers or the receipt of orders, or the collection, despatch or delivery of goods, or in any clerical capacity."

69. It will be noted that the proposed definition extends the definition given in the Act of 1912 in the following particulars :—

(i) It covers persons employed in connection with a shop, whereas the 1912 definition is confined to persons employed in a shop.

(ii) It covers persons employed in the collection and delivery of goods and in a clerical capacity.

For the purpose of their enquiry, Your Committee have adopted the more extended definition.

70. It will be seen that the definition includes many of the young persons at present covered by the provision in the Act of 1912, which limits their hours of work to 74 per week. This is a maximum which is far above the highest hours of labour now defended in any quarter, and Your Committee desire that it shall be superseded by any Act of Parliament in which their recommendations may be embodied.

C.—SUGGESTED NEW DEFINITION.

71. Your Committee believe that the definition given in the Bill of 1929 is, on the whole, the most desirable. They are, however, in favour of the exclusion of the following persons from the scope of their recommendations as to the limitation of hours of labour :—

(a) Employees in hotels and boarding houses, other than those covered by the provisions of the Shops Acts, 1912 to 1928.

(b) Employees of wholesale market traders.

(c) Persons employed wholly or mainly in canvassing for orders or collecting payments.

D.—THE NUMBER OF PERSONS NOW EMPLOYED IN SHOPS.

72. The total number of persons insured as workers in the distributive trades in July, 1930, according to a return made by the Ministry of Labour, was 1,764,390. The following persons employed in such trades are not included in this figure :—

(i) Children, and young persons between 14 and 16 years of age ;

(ii) Persons over 65 years of age ;

(iii) Persons with an income of over £250 per annum who are not voluntarily insured.

It is estimated by the London County Council that there are 174,147 adult shop assistants and 23,495 young persons employed in shops in the County of London. No accurate estimates can be

given of the number of persons employed in each individual trade, but accurate figures will presumably be available when the results of the 1931 Census are published.

IV.

Evidence obtained by the Committee.

73. Sixty witnesses were examined in person by Your Committee, and twenty-nine by the Select Committee of last Session. Complete lists of these witnesses will be found on page 102 of this Report and on page viii of the Special Report of last Session. The witnesses heard represented employers, and, as far as such evidence was available, employees, in every important section of the distributive trades, both retail and wholesale. Your Committee have heard and considered the point of view of every trade, and in some cases where sections of a trade showed peculiar anxiety to give oral evidence those sections were heard. When an application to give oral evidence was made and it was thought that no useful purpose could be served by granting the application, Your Committee asked for *précis* of the evidence which would have been submitted.

74. As there are far more organisations of employers than of assistants, Your Committee have heard a great deal more evidence from the former. Altogether fifty-three witnesses, representing thirty-three employers' associations, were heard, whereas eleven witnesses representing nine associations of employees appeared. In addition, one witness who appeared for the Joint Council of Qualified Opticians claimed to represent both employers and employees in his trade.

75. Your Committee were able, however, to hear the evidence of eight individual witnesses at present serving in shops, or having recently done so. The difficulty of obtaining evidence from shop assistants must be realised. The Y.W.C.A., which carried out an investigation into the hours and conditions of employment of shop assistants all over the country, stated in their Report that "a fact that was made particularly clear during the investigation was the reluctance shown by many of the shop assistants to give information for fear of losing their posts." Mr. J. R. Leslie, General Secretary of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks, also spoke in his evidence of the "natural reluctance on the part of assistants to reveal the conditions under which they were working, in case it might lead to their dismissal"; but no direct evidence was submitted in support of these statements.

76. Very valuable evidence was obtained from nine witnesses occupying the position of impartial observers, and owing their knowledge of conditions in shops to their conduct of independent investigations, or, in the case of welfare workers and medical practitioners, to having been placed in close contact with the lives of shop assistants through the nature of their work. Much useful information was also given by Departmental and Local Government officials who had special knowledge connected with the subjects of the inquiry.

77. Finally, a great quantity of information of the very highest value was obtained for Your Committee through a joint investigation, undertaken by the Home Office and the Ministry of Labour during the summer of 1930, into hours and conditions of employment in shops in selected typical areas all over the country. The Reports of these Departmental Investigators are printed as an Appendix to this Report.*

V.

Hours of Employment in the Distributive Trades.

PRELIMINARY.

78. The evidence that Your Committee have heard in connection with the hours of employment in the distributive trades may be conveniently divided under the following headings :—

- (a) Normal hours of employment.
- (b) Hours worked in excess of the normal hours, for which overtime rates are sometimes paid.
- (c) Hours of employment of juveniles, and other evidence relating to them.
- (d) The long hours often worked by female employees.

A.—THE NORMAL HOURS OF WORK.

(a) Retail Trades: General.

79. An outstanding fact which emerged from the information obtained by Your Committee as to the normal hours of work in the retail trades was the widely varying hours of employment of persons engaged in the same trade. However long the average hours of employment in a particular trade may be, it is possible to find a number of shops in the trade where reasonably short hours are worked. The establishment of a shift system, or some similar method, sometimes accounts for this; but, in general, it was found that much shorter hours are worked in shops in country towns and in the central shopping areas of large cities, where shops usually shut earlier, than in shops in industrial and suburban areas.

* See Volume II: Appendices.

80. Another noticeable fact, as will be seen from the following paragraphs, is that the hours worked in food shops are on the whole considerably longer than those worked in other shops. In shops which do not deal in foodstuffs, and particularly in clothing and hardware shops, a very large percentage of the assistants work 48 hours a week or less, whereas in food shops, the great majority of the assistants work more than 48 hours a week. In shops belonging to Co-operative Societies, which are not dealt with in this section of the Report, a 48-hour week is worked by the majority of employees.

81. Your Committee have attempted to summarise the vast mass of information relating to hours of employment which was supplied by the Departmental Investigators, and supplemented in many cases by information given by witnesses representing the various trades. The difficulties of attempting to generalise, when widely varying hours are worked, and most of the information relates to certain towns or districts rather than to the whole country, are obvious. Your Committee are of opinion, however, that such generalisations can be safely made; information relating to any particular trade, though coming from a score of different sources and localities, showed broadly similar characteristics.

(*Note.*—The figures given below are for normal hours of employment, exclusive of meal times. Where maxima and minima are given, they are the extreme instances of which Your Committee have information.)

82. *Bakers and Pastrycooks.*—The hours worked in this trade vary from $44\frac{1}{2}$ to 75 per week. The average for the whole country is probably about 54. Averages for certain large cities are as follows:—London, 58; Manchester, $51\frac{1}{2}$; Liverpool, $55\frac{1}{2}$; Leeds, 52; Newcastle, $53\frac{1}{2}$. The great majority of those employed work between 50 and 58 hours a week.

83. *Boot and Shoe Shops.*—The hours worked vary from $44\frac{1}{2}$ to 56 a week. The average for the whole country is about 48. Averages for certain large cities are as follows:—London, 52; Manchester, 49; Liverpool, $49\frac{1}{2}$; Leeds, $48\frac{3}{4}$; Newcastle, $46\frac{1}{2}$. The great majority of those employed work less than 50 hours a week.

84. *Butchers.*—The hours worked vary from 41 to $66\frac{1}{2}$. The average for the whole country is 55 to 56. Averages for some large cities are:—London, 55; Manchester, $51\frac{1}{2}$; Liverpool, $52\frac{1}{2}$; Leeds, 52; Newcastle, $53\frac{1}{2}$. The great majority of those employed work between 52 and 60 hours a week. Still longer hours are worked in pork butchers' shops. In Birmingham, pork butchers work between 52 and 68 hours a week; in Leeds between $53\frac{1}{2}$ and $66\frac{1}{2}$ hours (average $57\frac{1}{2}$), and in Doncaster between $47\frac{1}{2}$ and 60 (average $54\frac{1}{2}$).

85. *Chemists and Drug Stores.*—The hours worked vary from 40 to 64 a week. In country towns and shops in the centre of big towns the average is 48; in other shops it is 54. Averages for some

large cities are :—London, $54\frac{1}{2}$; Manchester, 53; Liverpool, $50\frac{1}{2}$; Leeds, 49; Newcastle, $46\frac{1}{2}$. The great majority of those employed work between 48 and 55 hours a week.

86. *Confectioners (Sweets and Chocolates)*.—The hours worked in this trade vary from 42 (where a shift system is worked) to 75 or 80 per week. The average for the whole country is impossible to determine from the insufficient data available, but averages for certain large cities and towns are as follows :—London, 62; Manchester, $51\frac{1}{2}$; Liverpool, 56; Leeds, 55; Bournemouth, 56; Southend, 62; Great Yarmouth, $57\frac{1}{2}$. The later closing hours allowed to this trade often result in long hours being worked, but in many shops the hours of employment are reduced by means of a shift system.

87. *Cooked Food and Tripe Shops*.—The hours worked in this trade vary from $42\frac{1}{2}$ to $66\frac{1}{2}$ per week. The average for the whole country is difficult to estimate, but is probably about 55 or 56. Averages for some large cities are :—London, 60; Manchester, 56; Liverpool, 54. The great majority of the employees in this trade probably work between 52 and 60 hours a week.

88. *Dairies*.—The hours worked by full-time employees in dairies vary from 45 to 70 a week. The average for the whole country is probably about 52 or 53. Averages for certain large cities are :—London, 57; Manchester, 53; Liverpool, $55\frac{1}{2}$; Newcastle, 46. The great majority of those in full-time employment in this trade work between 46 and 58 hours a week.

89. *Departmental Stores*.—The hours worked vary from 43 to 57. The average for stores of this type all over the country is about 47 or 48. Averages for some large cities are :—London, 47; Manchester, $47\frac{3}{4}$; Liverpool, $48\frac{1}{2}$; Leeds, 48. The great majority of the employees work 48 hours a week or less, and nearly all work less than 50 hours.

90. *Drapers and Clothing Shops (Tailors, Outfitters, Milliners, etc.)*.—The hours worked vary from 41 to 60 per week. The average for these trades for the whole country is 48, or slightly less. Averages for some large cities are as follows :—London 51, Manchester, 49; Liverpool, $51\frac{1}{2}$; Leeds, $47\frac{1}{2}$; Newcastle, 46; Cardiff, $48\frac{1}{2}$. It was stated in evidence that about 80 per cent. or 85 per cent. of the employees work about 48 hours a week.

Whitehead,
1496 (S.R.)

91. *Fancy Goods and Toy Dealers*.—The hours worked in this trade vary from $43\frac{1}{2}$ to 60 a week. The average for the whole country is probably about 49. Averages for certain big cities are as follows :—London, 51; Manchester, 49; Liverpool, $49\frac{1}{2}$; Leeds, 48; Newcastle, $49\frac{1}{2}$. The majority of those employed in this trade work 48 hours a week or less, and nearly all work 52 hours or less.

92. *Fishmongers and Poulterers*.—The hours worked in these shops vary from $40\frac{1}{2}$ to 62 per week. In many shops, fish and

Cowley, 1289
(S.R.).

poultry are sold in conjunction with fruit and vegetables, and the evidence of the National Federation of Retail Fruiterers, Florists and Fishmongers, a provincial association, was that the normal hours in their shops were 54 per week. Averages for fish and poultry shops for some large cities are :—London, 56; Manchester, 53½; Liverpool, 52; Leeds, 54½; Newcastle, 47½; Swansea, 55½. The great majority of the assistants work between 48 and 56 hours a week.

Matkin,
1075 (S.R.)

93. *Greengrocers, Fruiterers and Florists.*—The hours worked in these shops vary from less than 44 to 64 per week. The average for 1,000 shops in London and the Home Counties was said to be 56, but the average for the whole country is probably slightly less than this. Averages for some large cities are :—London, 58; Manchester, 52½; Liverpool, 52; Leeds, 54½; Newcastle, 50. The great majority of the assistants work between 48 and 56 hours a week, except in London.

94. *Grocers and Provision Dealers.*—The hours worked vary from 45½ to 64. The average for the whole country is about 54 hours a week. Averages for some large cities are :—London, 53; Manchester, 54; Liverpool, 53; Leeds, 54½; Newcastle, 51½; Swansea, 53½. Most of the assistants work between 48 and 56 hours a week.

95. *Hairdressers and Barbers.*—The hours worked in these shops vary from 46½ to 65 per week. The average for the whole country is probably about 53 hours a week. Averages for some large cities are :—London, 55½; Manchester, 55; Liverpool, 54; Leeds, 50½; Newcastle, 49. The average hours worked in women's shops are less than those worked in men's shops. The majority of the assistants work between 48 and 56 hours a week. The weekly hours of employment are now less in many places owing to the operation of the Hairdressers' and Barbers' Shops (Early Closing) Act, 1930.

96. *Ice-Cream Merchants.*—The hours worked in this trade are usually very long, and the average is probably over 60 per week. For further information relating to hours worked in this trade, see Paragraph 116 of this Report.

97. *Ironmongers and Household Stores.*—The hours worked vary from 42½ to 57. The average for the whole country is probably about 51. Averages for some large cities are :—London, 52½; Manchester, 51½; Liverpool, 51½; Leeds, 50; Newcastle, 44½; Cardiff, 51½. The great majority of the employees work between 46 and 52 hours a week.

98. *Newsvendors, Stationers and Booksellers.*—The hours worked in these shops vary from 42 to 70 per week, the longest hours being worked in small newsagents' shops. The average for the whole country is impossible to estimate from the data supplied.

by the Departmental Investigators. The figure of 60 hours a week given by the General Secretary of the National Federation of Newsagents, Booksellers and Stationers would appear to be too high, when compared with the averages for certain large cities. These are as follows:—London, 61; Manchester, $51\frac{1}{2}$; Liverpool, 46; Leeds, 48; Newcastle, $50\frac{1}{4}$. It seems probable that the great majority of employees work less than 54 hours a week, except in London, but there is a large number of small shops staffed by the proprietor or his family.

99. *Market Traders*.—The majority of employees in markets are said to work between 52 and 55 hours a week. The employees of traders who work on circuits have also to travel from one market to another. Edgar Hunt,
3974.

100. *Tobacconists*.—The hours worked in these shops vary from 41 to $61\frac{1}{2}$ per week. The average for the whole country is difficult to estimate, as the extent to which shift systems are used is unknown. Averages for some large cities are:—London, 59; Manchester, $50\frac{1}{2}$; Liverpool, $48\frac{1}{2}$; Leeds, $53\frac{1}{2}$; Newcastle, $54\frac{1}{2}$. The great majority of the assistants probably work between 50 and 60 hours a week.

101.—(i) The following table showing the average hours of employment in various places has been compiled from the Reports of the Departmental Investigators, in order to show the variation of hours in different localities, and as between large cities, sea-side towns, the smaller industrial towns, and small country towns.

(ii) The information from which the figures have been compiled was not in all cases statistically comparable, and the results given are consequently only approximate, but they furnish a fair picture of the average hours of work found to prevail in the trades mentioned.

(iii) Where the information available is insufficient to enable a figure to be arrived at, the space is marked with a dash (—).

(iv) The average hours of employment of hairdressers' assistants in many districts have probably been reduced since January 1st, 1931, when Sunday opening of hairdressers' shops was generally prohibited by the Hairdressers' and Barbers' Shops (Early Closing) Act, 1930.

TABLE SHOWING FOR A REPRESENTATIVE SAMPLE OF LARGE AND SMALL TOWNS THE APPROXIMATE AVERAGE WEEKLY HOURS OF WORK OF SHOP ASSISTANTS.

	London.		Bournemouth.	Southend.	Gt. Yarmouth.	Dorchester.	Wareham.	Newcastle.	S. Shields.	Morpech.	Aahington.	Cardiff.	Swansea.	Llanely.	Manchester.	Liverpool.	Birmingham.	Rural Warwickshire.	Leeds.	Doncaster.	Skipton.	Glasgow.	Dundee.
	City.	County.																					
No. of Shops Investigated	405	—	124	120	103	56	21	173	107	50	40	198	213	84	300	250	328	173	489	128	67	266	248
No. of Assistants	3,973	—	1,926	896	919	948	74	3,477	1,411	211	299	1668	2,337	583	—	—	0,043	647	4,602	989	313	3,738	2,437
Bakers and Pastry Cooks	—	58·0	52·5	54·0	51·9	45·7	52·0	53·5	54·0	60·5	53·5	55·0	55·0	—	51·5	55·5	54·0	51·5	52·5	52·5	52·0	53·0	50·0
Boot and Shoe Shops	46·5	52·0	49·1	48·6	48·4	49·5	50·2	46·5	49·0	44·5	46·0	49·0	50·0	49·5	40·0	49·5	49·0	48·0	49·0	48·0	49·0	47·0	49·0
Butchers	52·0	55·0	50·4	52·1	53·2	52·7	52·0	53·5	60·5	47·0	66·5	54·0	56·0	53·5	51·5	52·5	58·0	54·5	52·5	54·5	52·0	54·5	55·0
Chemists	50·0	54·5	50·4	54·2	52·0	49·0	45·0	46·5	51·0	48·0	47·5	50·0	50·5	51·5	53·0	50·5	53·0	51·0	49·0	51·5	50·0	49·0	50·0
Confectioners (sweets, etc.)	54·0	62·0	56·4	62·0	67·6	44·0	52·0	55·5	61·0	60·0	65·0	61·0	55·5	60·0	51·0	56·0	56·0	51·5	55·0	52·0	52·0	51·0	50·0
Cooked Meat	—	60·0	53·7	56·7	54·5	51·0	—	48·0	60·5	—	54·0	53·0	56·0	62·0	56·0	54·0	58·0	—	54·0	48·0	55·0	—	52·0
																			(a)	(a)	(a)		
Dairies	—	57·0	46·2	52·6	46·0	49·5	—	46·0	—	42·5	—	53·0	48·0	—	53·0	55·5	54·0	—	50·0	—	51·0	58·5	53·0
Departmental Stores	46·0	47·0	—	—	—	—	—	—	—	—	—	47·0	46·0	49·5	48·0	48·5	47·0	47·0	48·0	49·5	52·0	45·5	46·0
Drapery	47·0	51·0	47·8	49·6	45·9	47·9	47·2	46·0	48·0	47·5	45·0	49·5	48·0	48·0	49·0	52·0	47·5	47·0	47·5	47·0	49·5	46·5	47·0
Fancy Goods and Toys	46·0	51·0	49·1	49·4	44·3	48·0	56·0	49·5	49·0	52·5	49·5	48·5	50·0	49·5	48·0	47·0	49·0	47·5	48·0	47·5	49·0	48·5	49·0
Fish and Poultry	55·0	56·0	54·0	53·0	64·7	51·0	50·0	47·5	51·0	46·5	—	56·0	55·5	56·5	54·0	52·0	52·5	—	54·5	51·0	53·0	52·5	53·0
Greengrocers, Fruiters and Florists.	53·0	56·0	53·5	55·8	50·3	48·3	46·0	50·0	55·5	48·0	61·0	51·5	53·5	56·5	52·5	52·0	53·0	53·0	64·5	43·0	52·0	55·0	52·0
Grocers and Provision Dealers.	50·0	53·0	52·6	54·0	52·4	49·5	50·0	51·5	50·0	49·5	50·0	55·0	53·0	55·5	54·0	53·0	53·0	52·0	54·5	53·5	52·5	51·5	52·0
Hairdressers	49·5	56·0	49·1	50·1	48·8	49·5	47·0	49·0	50·0	51·0	—	54·0	52·0	51·0	55·0	54·0	50·0	40·0	51·0	51·0	54·0	49·5	49·0
Ironmongers and Household Stores.	48·0	52·5	51·9	50·4	47·0	49·5	48·0	44·5	49·0	46·0	—	51·5	54·0	48·0	51·5	51·0	48·0	50·0	50·0	52·0	49·5	47·5	48·0
Newsvendors, Booksellers and Stationers.	52·0	61·0	49·7	57·0	53·3	46·5	53·0	50·5	52·0	48·0	50·0	46·0	52·0	46·0	51·5	46·0	47·0	50·0	48·0	49·0	50·0	51·5	51·0
Tobacconists	54·0	59·0	48·2	52·8	50·0	55·3	51·0	50·5	52·5	48·0	52·0	50·0	50·0	52·5	50·5	48·5	49·0	50·0	53·8	53·0	—	52·0	—
Mixed Shops	—	—	53·5	56·7	63·7	—	—	50·0	—	—	—	—	—	—	—	—	—	—	79·5	69·0	—	—	—
																			(b)	(b)	(b)		
Ice Cream Shops	—	—	—	—	—	—	—	60·0	71·5	70·5	67·0	—	—	—	—	—	—	—	—	—	—	67·5	69·0

(a) Shops open on 5 days only.

(b) Hours of opening—no hired assistants employed.

(b) Wholesale Trades: General.

102. Generally speaking, the hours of employment in the wholesale distributive trades are shorter than hours in the retail trades. If an average throughout the year were taken, it probably would not exceed 48 hours a week in any of the wholesale trades. The weekly hours of work are not, however, constant throughout the year, but are subject to seasonal fluctuations, increasing considerably during stocktaking and at the seasons when retail shops order new stock. This is a common characteristic of all the wholesale trades. The normal hours of employment in these trades will, therefore, be considered, not from the point of view of each individual trade, but under the headings of (i) normal hours in slack seasons, and (ii) normal hours in busy seasons.

(c) Wholesale Trades: Normal Hours in Slack Seasons.

103. The normal hours of employment in wholesale establishments, outside rush seasons, vary from 39 to 52 a week. The latter figure is exceptional. Most of the employees work between 42 and 47 hours a week, though the normal working week of employees in the Wholesale Fruit and Potato Trades is said to be 50 hours, as perishable goods are dealt with. Normal hours during slack periods in various trades were said to be as follows:—Drapery, 44 or less; Primary Grocers, 42 to 47½; Secondary, or Provincial Grocers, 47. The average hours worked in wholesale establishments in certain big cities are:—London, 47; Manchester, 44; Liverpool, 44; Leeds, 47.

Farrington,
p. 429.

(d) Wholesale Trades: Normal Hours in Busy Seasons.

104. At certain seasons of the year, which are long enough and regular enough to be treated as normal, rather than exceptional, busy seasons, the hours of employment in a number of wholesale establishments show a marked increase. In the Wholesale Fruit and Potato Trades, the normal hours of employment, which are 50 in slack seasons, rise to 56 in the winter and 62 in the summer. In other wholesale trades, the busy seasons are usually during stocktaking, and for a month or six weeks in the Spring, and a month before Christmas.

Farrington,
p. 429.

105. Thus, in a drapery warehouse specialising in seasonal goods in the City, the hours were 54 a week for six weeks from about 20th February. They then fell to 45 until May, when for a month 54 hours a week were worked. The hours again reached 54 a week for 4 weeks in August and September. For the rest of the year, 34 weeks, they would not exceed 39 hours a week. In another similar drapery warehouse the assistants would be required to work up to 59½ hours a week for ten weeks in October December, whilst the normal hours are 42 for the rest of the year. In other drapery warehouses of a more general type the variation of hours is not so marked, but it is still noticeable in many cases. In a large warehouse in Manchester, up to 57 hours per week were worked from

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p. 9.

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p. 142.

Easter to Whitsun (chiefly in the clothing departments), for a month before Christmas (chiefly in fancy goods and food stuffs) and for 3 weeks at the twice-yearly stocktaking. In another, the normal 44-hour week was extended to 48 hours at busy times which culminated in the fortnights before Easter and Whitsun and the penultimate week before Christmas when a 57-hour week was worked. In a wholesale stationery warehouse in the City, the hours were as follows:—January to April, 44 hours a week; May to August, 41½ hours; September to December, 47 hours, with an extra hour at night, as required in the different departments.

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p. 9.

106. The above examples show that the hours worked during these seasonal busy periods vary according to the necessities of individual warehouses, and that, in general, it does not become necessary to work more than about 60 hours a week at such times. These busy periods appear in general to be more prevalent in wholesale warehouses in the larger cities.

(e) *Wholesale Markets.*

Dep. Inv.,
p. 4.

107. In wholesale markets conditions differ considerably from those in warehouses. The Departmental Inspector in the City of London investigated Smithfield Meat Market and Bishopsgate Fish Market and found that while the "pitchers," who are more or less casual, start work at midnight and continue as long as the supplies of meat arrive, the porters start work at 5 a.m. and have no fixed hours. The shopmen and salesmen also arrive at about 5 a.m. The nominal closing hour for the market is 1 p.m. (Friday, 4 p.m.), but before holidays, particularly before Christmas, no estimate can be given as to the time the business ceases. On the other hand, on slack days, many of the salesmen and porters leave before 1 p.m. The London County Council reported that, as far as regular employees are concerned, a 48-hour week is not generally exceeded, but the majority of porters are paid as piece workers, and it is said that the conditions in London wholesale markets are such as to make the application of a 48-hour week impracticable.

Dep. Inv.,
p. 18.

Dep. Inv.,
p. 142.

108. In the wholesale fish and fruit markets in Manchester, the hours of opening and closing were later than those in the City of London. The normal weekly hours (including meal-times, which were indefinite and often interrupted by work) varied from 48 to 60 hours a week. When fresh fruit was handled in the summer, the hours were increased from 54½ to 70 per week, and during the fortnight before Christmas, the poultry workers were said to work about 80 hours a week.

(f) *Catering Trade.*

109. Your Committee do not feel it necessary to give much detail regarding this trade, as an "Enquiry into Remuneration, Hours of Employment, etc., in the Catering Trade" was carried out by the Ministry of Labour in 1929 in connection with the proposal to apply the Trade Board Acts, and its results published

in a Report in 1930. As regards the Light Refreshment and Dining Room (non-licensed) section of the Trade (excluding multiple firms), there was an investigation into the hours of employment, etc., in 1925, the results of which were published in a Report issued in 1926. The investigation carried out in 1929 showed that hours were longer than in 1925. The following table shows the results of the investigation:—

Group of Workers.	Percentages whose hours of duty (exclusive of meal-times) were as shown below.			
	1929.			
	48 or under.	Over 48 and under 54.	54 and under 60.	60 or over.
Males, 21 years and over	28.0	26.0	26.7	19.3
Females, 21 years and over:—				
Waitresses	35.7	42.3	14.7	7.3
Others	41.3	37.7	16.2	4.8
Females, 18 to 20 years:—				
Waitresses	40.3	37.9	14.8	7.0
Others	26.5	55.5	16.0	2.0
Females, under 18 years of age:—				
Waitresses	37.3	46.8	9.3	6.6
Others	39.1	43.3	12.4	5.2

(g) *Licensed Trade.*

110. The following table shows the hours of duty of workers in public houses, from returns made during one week in October, 1929:—

Class of Worker.	Percentage whose hours of duty were—						
	Under 30	30 to 48	48	48 to 54	54 to 60	60 to 66	66 and over.
Adult males (21 years of age and over).	42.9	6.4	4.4	9.7	13.3	18.6	4.7
Males, 18-20 years of age (inclusive).	3.5	14.7	14.7	21.8	17.7	18.8	8.8
Males under 18 years of age.	1.4	32.8	18.6	22.9	8.6	14.3	1.4
Adult females	41.7	14.4	3.6	9.7	14.4	13.1	3.1
Females 18-20 years of age (inclusive).	26.4	15.7	3.1	11.5	26.1	12.6	4.6
Females under 18 years of age.	31.5	22.2	1.9	11.1	21.3	8.3	3.7

111. As regards licensed restaurants, the following figures show the percentage of workers whose hours of duty, in one week in November, 1929, were as given :—

Class of Worker.	Percentage whose hours of duty were							
	Under 30.	30 and under 48.	48	Over 48 and under 54.	54 and under 60.	60 and under 66.	66 and under 70.	70 and over.
Adult males (21 years of age and over).	3·7	15·6	12·6	22·7	33·4	7·0	2·1	2·9
Males, 18-20 years of age (inclusive).	—	19·8	13·0	26·1	32·6	4·4	3·1	1·0
Males, under 18 years of age.	0·2	28·0	12·4	13·7	35·8	5·7	3·2	1·0
Adult females (21 years of age and over).	2·1	24·9	6·7	46·1	13·9	5·3	0·4	0·6
Females, 18-20 years of age (inclusive).	—	22·7	5·0	39·5	27·3	5·1	0·4	—
Females under 18 years of age.	—	29·9	12·3	38·5	15·6	3·3	0·4	—

(h) *Long Hours and Excessive Hours of Employment.*

112. For the purpose of classifying the facts given in evidence, Your Committee propose to define "long hours" of work as being between 48 and 60 hours of work a week, exclusive of meal times, and "excessive hours" of work as being over 60 hours of work a week, exclusive of meal-times.

113. As has been seen from the foregoing paragraphs, the normal hours of employment in certain classes of shops, such as bakers, butchers, fishmongers, fruiterers, florists, grocers and food shops in general, are long hours, and many assistants in such shops work in excess of these hours. In other classes of shops, such as wholesale establishments and retail boot and shoe shops, fancy goods and toy shops, departmental stores, and drapery and clothing shops, where the normal hours of work average 48 or less, it is possible to find a considerable number of assistants whose hours are long or even excessive.

(i) *Long Hours.*

114. It is unnecessary to give further details of long hours. It can be seen from the information already given respecting each

individual trade that in certain trades the great majority of the assistants work more than 48 hours a week. It will perhaps be convenient to repeat the relevant figures relating to these trades :—

Name of Trade.	Average Normal Weekly Hours.	Range of Normal Weekly Hours of great majority of Assistants.
Bakers and Pastrycooks	54	Between 50 and 58
Butchers	55-56	" 52 " 60
Chemists and Drug Stores... ..	51-52	" 48 " 55
Confectioners (Sweets and Chocolates)	56?	" 50 " 60
Cooked Food and Tripe Shops	55-56	" 52 " 60
Dairies	52-53	" 46 " 58
Fishmongers and Poulterers	54	" 48 " 56
Greengrocers, Fruiterers and Florists	55	" 48 " 60
Grocers and Provision Dealers	54	" 48 " 56
Hairdressers and Barbers	53	" 48 " 56
Ice-Cream Merchants	Over 60	Over 60
Market Traders	54?	Between 52 and 55
Newsvendors, Stationers and Booksellers.	52?	" 46 " 54
Tobacconists	56?	" 50 " 60

(j) *Excessive Hours.*

115. It is possible to find examples of persons normally working more than 60 hours a week in nearly all the distributive trades. In certain trades, however, excessive hours are very common, and in others they are quite frequent. Your Committee propose to give examples of evidence relating to excessive hours in each of the trades where any substantial number of assistants appear normally to work such hours.

116. *Ice-cream Merchants.*—Employees in this trade appear to work notoriously long hours. In Glasgow, it was found that 72.1 per cent. of the persons working in such shops worked 60 hours or more per week. The average hours of work in the ice-cream trade in Glasgow were said to be 67 $\frac{3}{4}$. In an ice-cream shop in Morpeth, the one assistant was working 70 hours a week, in contrast to a similar shop in the same town where two assistants were employed, and a shift system was in operation, the average weekly hours being 44. The average hours of employment in ice-cream shops in South Shields are 71 $\frac{1}{2}$ per week. A young woman who had worked in an ice-cream and confectionery shop in South Shields where the hours were 73 a week, exclusive of meals, " was very rarely able to leave the shop until 12 midnight, and spoke of the dark and lonely walk home when the tram service had ceased. She left because her health began to be impaired by the strain."

Dep. Inv.,
p. 270.

Macdonald,
339 (S.R.).

Dep. Inv.,
p. 219.

Dep. Inv.,
p. 217.

Dep. Inv.,
p. 205.

117. *Butchers and Pork Butchers.*—In Birmingham, 9.8 per cent. of the assistants in butchers' shops reported on by the Departmental Investigators worked between 60 and 64 hours a week. 23.9 per cent. of the pork butchers in Birmingham work over 60 hours a week, and 9.4 per cent. work over 64 hours. In Leeds, 8.1 per cent. of the butchers reported on work over 65 hours. In Ashington, in a large and busy butcher's shop, 24 men and nine boys work 66½ hours a week. A witness stated with reference to butchers' shops that "there are quite a lot of people in the large industrial towns who are working something round about 60 hours per week." It will be remembered that the butcher's trade is one involving heavy and continuous work.

118. *Catering Trade.*—A witness representing the Edinburgh and District Juvenile Organisations Committee stated that they had found that there was a class of catering establishment where the hours are very long. In such places in Edinburgh a 61 to 65 hour week was quite general, and one firm worked its women 70 hours a week. That this is not evidence of exceptional local circumstances is shown by the 1929 Enquiry of the Ministry of Labour, the results of which are tabulated in Paragraph 109 of this Report.

119. *Confectioners (Sweets and Chocolates).*—These shops are open for very long hours (in Glasgow from 61 to 100 hours a week), and except when something in the nature of a shift system is worked, the hours of the assistants are excessive. In South Shields, the average hours of employment were 61 a week. The average hours in six shops in Southend were 62. In Doncaster, 7.7 per cent. of the confectioners' assistants work between 60 and 65 hours a week, and 3.5 per cent. of the assistants in Birmingham work between 60 and 64 hours.

120. *Cooked Food and Tripe Shops.*—This is another trade with exemption from early closing. It was reported that "in Southend and Yarmouth the unlimited extension is made use of. Visitors to these towns are of the type who take furnished rooms where they do their own catering and cooked meats are in great demand. Shops keep open until the places of amusement close." In one of these shops the assistants worked 91 hours a week, and in two others 80 hours a week, and these hours were not unusual. In Leeds 33½ per cent. of the employees in this trade work between 60 and 65 hours a week, and 9.6 per cent. of the employees in Birmingham work 60 to 64 hours.

121. *Dairies.*—The Departmental Investigator in Glasgow reported that if milk roundsmen and delivery boys, many of whom work part-time only, were excluded, the percentage of employees in dairies whose working week was over 60 hours was 34.4 per cent. In Bournemouth, on the other hand, a 48-hour week for dairy employees is general.

Dep. Inv.,
p. 59, 177,
223.

Miseldine,
2547 (S.R.).

Stewart,
581, 606
(S.R.).

Dep. Inv.
p. 285.

Dep. Inv.,
p. 36, 59,
178, 217.

Dep. Inv.,
p. 43.

Dep. Inv.,
p. 59, 177.

Dep. Inv.,
p. 270.

122. *Fishmongers and Poulterers*.—The average hours worked in four shops in Great Yarmouth were 64.7 per week. The hours were very much higher during the season. For instance, in one shop, where the normal hours of employment were 54½, during the season the hours rose to 96. It was said that “the work was constant and strenuous; fresh fish was sold in the morning and afternoon, a large despatch trade in bloaters was done and fried fish was sold at night. The same assistants were employed throughout.”

Dep. Inv.,
p. 37, 45.

123. *Greengrocers and Fruiterers*.—In Birmingham 15.8 per cent. of the assistants in this trade work between 60 and 64 hours per week.

124. *Grocers and Provision Dealers*.—In Leeds 4.2 per cent. of the assistants in this trade work between 60 and 65 hours per week.

125. *Newsagents*.—In a newsagent's shop in Manchester, where the assistant lived in, he was found to be working 63½ hours a week. The National Federation of Newsagents, Booksellers and Stationers, in their evidence, stated that “the hours worked by our shop assistants—taking into account that their services are required early in the morning as well as in the evening—average approximately from 56 to 70 hours per week.”

Dep. Inv.,
p. 137.

MacLaren,
500.

126. *Tobacconists*.—In Leeds, 8 per cent. of the employees in this trade work between 60 and 65 hours per week.

(k) *Long and Excessive Hours: Conclusion.*

127. With regard to “long hours,” it has been seen that in a great number of trades, the majority of assistants work between 48 and 60 hours a week. The isolated instances of “excessive hours” mentioned in the foregoing paragraphs may be taken as typical of conditions occurring here and there in places all over the country. It is clear that in most of the trades mentioned, only a small percentage of the assistants work more than 60 hours a week. But such excessive hours are possible, and if they affect the lives of only a few thousand people, they are not negligible. It was found that out of a large number of shop assistants chosen at random on Merseyside, 15 per cent. worked over 60 hours a week. If, as seems possible, only 5 per cent. of the shop assistants in Great Britain, between one and two million, work for such hours, this means that from 50,000 to 100,000 persons, many of them women and children, are working more than 60 hours a week in shops. That such hours are unnecessary is shown by the fact that the great majority of shops in all trades can do without them.

McCrindell,
p. 330.

B.—HOURS WORKED IN EXCESS OF NORMAL, OR OVERTIME.

128. Hitherto Your Committee have dealt only with the normal hours of employment. They now propose to set forth the result of their investigations into hours worked before or after the normal hours of opening and closing of the shop, commonly known as "overtime." Such overtime is of two kinds:—

- (a) Regular overtime, habitually worked all the year round ;
- (b) Seasonal overtime, worked at certain busy periods of the year.

(a) *Regular Overtime.*

Macdonald,
380 (S.R.).

129. According to the Chief Inspector under the Shops Acts for the City of Glasgow, it was difficult to get particulars about overtime from the traders, "and, as far as could be learned, there appear to be no definite arrangements either as to the working of overtime or payment for that work." The evidence seems to show that where overtime is being worked continually, the cause is either under-staffing, or simply lack of organisation.

Larking.
5529.

130. It was admitted by the Secretary of the Early Closing Association (which is concerned with promoting the early closing of shops, rather than with the legal limitation of shop assistants' hours) that this work done before and after shop hours is a method of making early closing less effective than might be supposed, from the shop assistants' point of view.

Coles, 5472.

131. According to Mr. W. H. Coles, D.S.O., who gave evidence on behalf of the Home Office, the Departmental Investigators found that "the point most frequently made by assistants was of indefinite employment after shops have closed. That complaint occurred most frequently in connection with food shops, particularly branches of multiple shops. That was the impression that is quite general with the whole of the investigators." According to Mr. Coles, this grievance was also mentioned in connection with the hairdressing trade, "where they said that, very generally, assistants are often expected to undertake, immediately before the closing hour, tasks which it is known cannot be finished until some considerable time after the closing hour."

Dep. Inv.,
p. 62, 86.

Dep. Inv.,
p. 274.

132. The practice of regularly working after closing hours (known as "overtime," but not always paid for at overtime rates) is much more general in certain trades than in others. In confectionery shops, fancy goods dealers and toy shops, ironmongers' and household stores, newsvendors' and tobacconists' shops, the assistants are able to leave almost as soon as the shop closes. In other classes of shops this is impossible. Investigation in Glasgow showed that overtime was worked in 19.3 per cent. of the shops and that 58 per cent. of all workers were required to work overtime, the amount of which ranged from less than one hour per week to six hours; 28.6

per cent. of all workers did three or more hours of overtime per week. In Glasgow, overtime was found to be worked in more than half of the boot-shops, bakers', butchers', pork-butchers', fishmongers' and grocers' shops. Dep. Inv.,
p. 271-273.

133. The reasons for this overtime vary in different trades. In butchers' shops the meat has to be put away in cold storage and the counters cleaned, and in all butchers' shops a considerable time is, therefore, worked regularly after closing hours. This does not apply to pork-butchers' shops, where the hours of opening are longer and there is not so much cleaning and tidying up to be done.

134. In Birmingham it was found that the practice of working after closing hours is fairly general in the grocery and provision trades, and that only in 20 per cent of the shops visited were the assistants in the habit of leaving punctually at closing time. The excess hours worked range up to 3 hours per week. In other districts the excess hours are not so long. Dep. Inv.,
p. 65, 84.

135. In a certain type of multiple grocery store, stocktaking is done very frequently, goods are weighed, counters are scrubbed, and other work is done after closing hours. The average hours of employment after closing time on three nights of the week were stated by the Manager of a multiple store at Llanelly to be 3 hours on each night, bringing the average worked by his staff up to 61 hours a week. Instances were given of shops (e.g., at South Shields and Ashington) where the assistants were kept busy with stock-taking on Saturday nights until 10.30 or even 11.30 p.m. Dep. Inv.,
p. 258.

Dep. Inv.,
p. 210-11,
223.

136. In Co-operative Stores, a certain amount of work is done regularly after closing hours in the grocery departments. In certain areas, agreements governing wages and conditions, between the Co-operative organisation and the workers' Trade Unions allow for a period up to 15 minutes every evening for clearing up, without extra payment, but in general, overtime work is paid for at overtime rates. Dep. Inv.,
p. 63-64,
306.

137. In chemists' shops the making up of prescriptions often results in overtime.

138. In greengrocers' and fishmongers' shops a short amount of time is spent after closing hours in tidying up the shops, but does not amount to more than 1 or 2 hours a week. Similarly, in drapery and soft furnishing establishments there is generally some time before the assistant is free to leave. Dep. Inv.,
p. 85.

139. In departmental stores in Glasgow, 1,088 assistants out of 1,880 were found to be working between 3 and 4 hours of overtime a week. Dep. Inv.,
p. 273.

140. The shops in which assistants are employed before opening hours are mainly butchers' shops, where a certain amount of preparing and cutting up of the meat is done before the shops open. This, together with a similar amount of work after the shops close,

Dep. Inv.,
p. 65.

brings their average of overtime higher than that in any other trade. In Birmingham, 12.7 per cent of the butchers' assistants work between 3 and 4 hours overtime weekly, and 10.9 per cent. work between 4 and 5 hours. In the case of Co-operative assistants, the respective proportions are 28.2 per cent. and 15.5 per cent. It must, however, be remembered that these are regularly paid overtime rates and that their normal hours are regulated on a 48-hour basis.

(b) *Seasonal Overtime.*

141. Details of the seasonal fluctuations which regularly occur in the wholesale distributive trades have already been given in Paragraphs 104-106 of this Report. In most of the retail trades the assistants are also subject at certain times of the year to abnormal hours of employment, the duration of such periods and the extra hours worked varying considerably according to the type of shop.

Coles, 5747.

142. Mr. W. H. Coles reported that complaint was frequently made to the Departmental Investigators by employees in the smaller departmental stores, with regard to the excessive hours worked, on the suspension of the Closing Orders, during the Christmas season. "It was said that shops are often kept open to unreasonably late hours and that, in spite of the two days' holiday in that week, more hours were often worked during Christmas week than during a normal working week."

Dep. Inv.,
p. 11, 45,
89.

143. In fishmongers' and poulterers' shops a great amount of extra time is worked for a fortnight before Christmas, in many cases the assistants working as long as they are physically able. In butchers' shops, too, the week before Christmas is very busy. In the City of London 75 hours was given as the usual estimate of the hours worked at this time, but 84 hours was given by one butcher. In the grocery and other provision trades the abnormal hours are usually confined to two or three weeks prior to Christmas. The assistants are not, as a rule, detained more than an extra two hours during the first week, but during the six shopping days prior to Christmas Day, when the Closing Orders are suspended, and the shops generally remain open for at least an hour longer than usual, the extra time worked by the assistants averages $1\frac{1}{2}$ hours, or in exceptional cases, two hours a day. In departmental stores, fancy goods shops, stationers and booksellers, the Christmas shopping season usually extends over a period of three weeks.

Dep. Inv.,
p. 70

144. Another period when abnormally long hours are worked is during the summer and winter sales. This applies mainly to the large drapery and soft furnishing establishments and departmental stores. In several departmental stores in Liverpool it was found

that, as the result of frequent sales and of extra time before Christmas and Whitsun, the annual overtime being worked amounted to about 74 hours.

145. Other reasons for periodical overtime are stocktaking, special window dressing, extra pressure of work before local holidays, and longer hours of duty owing to the absence of other workers on holiday. In certain trades overtime occurs as the result of causes peculiar to that trade, such as the preparation after closing hours of wreaths and bouquets, the preparation of poultry on Friday nights in winter in readiness for sale on Saturday, pressure of work at or before the Spring sowing season and at the bulb season in autumn amongst seedsmen, and late dispensing work by chemists in winter or during epidemics.

Dep. Inv.,
p. 277.

147. At seaside towns and fishing ports, long hours of overtime are worked during the season, particularly in confectioners', fancy goods and toy shops at holiday resorts, and in fishmongers' shops in fishing towns. Very long hours were found in confectioners' shops in Yarmouth and Southend during the season, 79, 77, 73 and 71 hours a week being common, and in Yarmouth 78 hours were worked in a fancy goods and toy shop. The case of a fish shop in Yarmouth where 96 hours were worked during the season, whilst the normal hours were 54½, has already been mentioned.

Dep. Inv.,
p. 42, 44.

Dep. Inv.,
p. 45.

C.—JUVENILE EMPLOYMENT.

148. Your Committee have relied, for their information on the subject of juvenile employment, mainly on the Reports of the Departmental Investigators, and on the valuable evidence given by the Association of Juvenile Employment and Welfare Officers, and the Committee on Wage-Earning Children. The term "juvenile" is used to cover all those children and young persons under the age of 18 years, whose hours of employment in or about a shop are limited by Section 2 of the Shops Act, 1912, to 74, including meal-times, in any one week.

149. The number of juveniles employed in the distributive trades is very large. In July, 1925, the estimated number of insured boys in these trades in England and Wales was 110,070 (the total number of insured boys, in all trades, being 311,300). The number of insured girls in the distributive trades was estimated at 84,500 (out of a total in all trades of 204,110).*

150. The employment of children of school age, between 12 and 14, is often regulated by bye-laws made by the local authority. Such children are usually employed for the delivery of newspapers and milk in the morning and evening. Typical bye-laws applicable

* Report of Committee on Education and Industry (England and Wales) 1927, p. 111.

to such children are those where the child's hours of employment are limited to two hours on each school day, and five hours a day on Saturdays and school holidays. * Where the local authority has bye-laws relating to the employment of school children, the employer has to provide the child with suitable waterproof clothing for use in wet weather, and a licence for employment is not given if the child is delicate. Your Committee were told in evidence that children "are so well sheltered between the ages of 12 and 14 that they should not come to any harm."

Greenwell,
2482

151. At the age of 14, when the child leaves school, these restrictions cease, and save for the 74 hours limitation, it rests entirely with the employer whether the young person is given the same conditions of employment as the adult shop assistant, or treated more leniently.

152. In some shops, particularly in those where long hours are worked and in good class family shops, young persons are allowed to go home an hour early. In a few others, their hours were reduced to weekly totals of from 45 to 49. A number of employers take a conscientious interest in the children who work for them, and give them these privileges, but where favour is shown, it is usually to those aged between 14 and 16.

153. In the majority of shops, however, and especially in shops where shorter hours are worked, the juveniles are employed for the same hours as adults, and are expected to work normal hours. They are also often expected to work overtime. In 263 shops reported on in Glasgow, 449 juveniles out of 799 worked overtime, and of these 284 worked over three hours overtime a week, though only two of the 284 were in trades working long normal hours. In limited-price shops in Manchester, young girls were seen at work after 9 p.m., when the shops closed at seven. In some cases messenger boys were found leaving the shop at closing time with orders for delivery on their way home, and this practice is general when customers press for delivery on the same evening.

Dep. Inv.,
p. 272-3.

Dep. Inv.,
p. 227.

154. A number of cases were reported to Your Committee where very long hours were worked by children and young persons under 18, and it was said that these cases were typical of many others. A few instances will show what is possible within the restrictions of the present law:—

Appendix C.

(a) A girl of 14 years of age, employed in Blackpool as a waitress and kitchen maid at 15s. a week. Her hours were from 9 a.m. to 10 p.m., with one hour for dinner, a half-hour for tea, and a half-day on Wednesday. She was not employed on Sunday. The total number of hours she worked weekly was thus 69, inclusive of meal-times.

Dep. Inv.,
p. 193.

(b) A girl of 14 years of age, employed in Newcastle-on-Tyne by a confectioner and tobacconist. Hours worked were from 9 a.m. to 9 p.m. on Tuesday, Wednesday, Thursday and

Friday; from 9 a.m. to 1.30 p.m. on Monday, and from 9 a.m. to 10 p.m. on Saturday. The weekly total of hours was 65½, including meal-times, and 67½ when Sunday work was done.

(c) Nine boys employed in a butcher's shop in Ashington, where the hours worked are 74, including meal hours, and where the proprietor stated that clearing and cleaning generally kept the staff employed half-an-hour after closing time on ordinary days or longer on certain days. Dep. Inv.,
p. 223.

(d) A van boy of 14 years of age, employed by a wholesale hardware merchant. His hours were 8 a.m. to 8 p.m. on five days, and 8 a.m. to 1 p.m. on one day. His parents took him away as a result of a trip to Yorkshire, when he was on the van from 8 a.m. on one day to 11 a.m. on the next. The boy slept on the van and the driver purchased meals. Greenwell,
p. 206.

(e) A van boy, aged 17, employed by a firm of bakers. His hour of starting was 8.30 a.m., and usual hour of finishing 8.30 to 9 p.m. He was allowed off on Wednesdays at 3 p.m. He was not paid for overtime. He rarely had his mid-day meal before 3.15 p.m., and eventually had to give up the work as his health suffered by going too long without food. Greenwell,
p. 206-7.

(f) An errand boy, aged 15. His hours of employment were from 7.45 a.m. to 8 p.m. He was often kept later to scrub floors. Greenwell,
p. 207.

(g) A boy employed in a garage, whose hours were from 8 a.m. to 8 p.m. He was often required to remain until 11 p.m. or midnight to serve petrol and oil and to wash cars. He had one half-day, working from 8 a.m. to 1 p.m. Greenwell,
p. 208.

155. These, which are a few selected from many mentioned in evidence, are cases where the law restricting hours of employment is complied with. Details were given of other cases where the legal limit was exceeded, and 80 or 90 hours a week were worked, usually by van boys. Your Committee were told of one firm which prohibited their van boys from "checking off" on the time recorder at the completion of the day's work. It is thus not entirely due to defects in the present system of inspection that such breaches of the law can take place. Greenwell,
p. 206-8.

156. The problem of the van boy is probably the most serious of those attaching to juvenile employment in connection with shops. These boys often have to make three rounds a day, with occasional very long trips; their meals are irregular, they are under little supervision, and on long journeys they have to sleep on the van. So far only one local authority has taken steps to deal with the problem. The Liverpool Corporation (General Powers) Act, 1930, gives power to the Corporation to make bye-laws regulating the hours and conditions of employment of van boys.

Greenwell,
2449-50.

157. The conditions of employment of the other classes of juvenile shop employees can also be highly unsatisfactory. It is possible, as has been shown, for their hours of employment to be very long. Some employers, we were told, are heedless or ignorant of the conditions under which their juvenile employees work. Many others would be glad of a legal restriction of hours, but are unwilling to take the lead by making a voluntary restriction which would place them at a disadvantage with their neighbours.

Ball, p. 60.

158. The children and young persons who are employed for these extremely long hours represent only a small percentage of the total of juvenile shop employees in the country. But such hours are legal, though they were described by the representative of one employers' association as a relic in the nation's legislative museum. It is not suggested that the child or young person is working the whole time, and in fact, he or she often spends long hours waiting for the next job. But such hours of idleness are in themselves demoralising, and the juvenile employees are all the time at the disposal of the employer and are prevented by long hours from obtaining exercise and playing games, from attempting to improve their position and continue their education by means of evening classes, or from attending picture palaces, theatres and other places of amusement.

Greenwell,
2451.
King, 3301-
2. —

D.—THE LONG HOURS WORKED BY WOMEN.

159. Your Committee desire especially to point out that the hours of work in shops are the same for women employees as for men. Neither the law nor the employers prevent women from working the long and excessive hours of which details have been given. The sole advantage given by law to female assistants is the provision of seats for them, and as will be seen in a later Section of this Report, these seats are very little used in practice.

160. The result is that women as well as men are often standing at their work for between 8 and 12 hours a day. The effects of this on the health of women are obviously and inevitably deleterious. They are dealt with in detail in the Section of this Report entitled "The Health and Welfare of the Assistants."

E.—CONCLUSIONS.

161. Where long hours prevail, even if the work is relatively light, and there are considerable periods of inactivity, the conditions cannot be said to be satisfactory. The most important test of satisfactory conditions in respect of hours of labour is the amount of time which the worker has at his or her disposal for recreation, self-improvement or public service. This point is dealt with elsewhere, but Your Committee wish to point out here that the habit

of overtime, with little or no notice, is especially inconvenient to shop assistants as regards the use they can make of their leisure. It constantly prevents them from taking advantage of facilities for education and amusement.

162. The Y.W.C.A. of Great Britain, which carried out an enquiry into the hours and conditions of employment of shop assistants, stated that :—

“ One or two of our investigators who worked in Evening Institutes under the L.C.C., reported that while their students were drawn from many occupations—industrial, business, domestic, etc.—they never had more than one or two shop assistants, owing to the long hours worked by these girls. Even when shop assistants registered for courses of study at the beginning of a session, they were seldom able to continue, owing to their inability to attend the classes.”

Mr. J. R. Leslie, General Secretary of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks, gave similar evidence. He said, “ Many of our members want to attend continuation classes. I know that in many cases they have had to forfeit the fees they have paid at the beginning of the session because they were unable to attend owing to this overtime.” In this connection we may recall the statements of the Adult Education Committee of the Ministry of Reconstruction, which expressed the opinion in 1918 that “ excessive hours of labour form one of the greatest obstacles to adult education.”

163. On the question of Juvenile Labour, the evidence of the Association of Juvenile Employment and Welfare Officers is important :—

“ We have all been conscious, as we are now, of a feeling of helplessness when we have come across instances in which employers, without being guilty of the infringement of any Act of Parliament, have allowed young people in their employ to work from an early hour in the morning until a late hour at night, week in and week out, without regular or sufficient time for meals, and under conditions of strain and stress that the average working man of to-day would not tolerate for one moment for himself. It is not generally realised that there are many boys, not long out of school, whose working week is nearly twice as long in actual hours as, for example, the normal working week of the joiner and his fellow workers in the building industry.

“ Some employers agree that the customary hours of van-delivery boys and errand boys are too long, yet none feels accountable. ‘ They did not create the abuse, they cannot alter it,’ seems to be their view.”

164. It may be outside the province of a Select Committee to do more than collect the relevant facts and draw the practical conclusions which seem to flow from them. But Your Committee venture to quote a remark casually made by Miss "C," a shop assistant who was on duty for 66½ hours a week (excluding meal-times), that "such a life is terribly monotonous. I find no pleasure in life when working like that." This throws a sidelight on the human significance of the facts submitted to them.

VI.

Probable Effects of a 48-Hour Week on Wages, Employment and Prices.

A.—PRELIMINARY.

165. It is impossible to trace in all their ramifications the economic consequences upon the distributive trades which might conceivably follow from the establishment of a statutory 48-hour week. They are inextricably intertwined with those that are continually occurring from other causes. From the evidence given, it would appear that in these trades the effects of restrictions upon hours either by voluntary agreement or through the operation of compulsory Closing Orders have been neither important nor far-reaching. Although opinions among employers may differ as to the actual effects produced in the past when curtailment of hours has taken place, it would seem that even if temporary dislocation is occasioned, it is soon overcome and a normal balance is once more achieved.

B.—THE ALLEGED EFFECTS ON WAGES AND EMPLOYMENT.

166. Your Committee propose first to summarise the arguments presented in evidence by employers' representatives on the two subjects of Wages and Employment.

(a) *Wages.*

Edgar
Hunt, p. 317.

Mallinson,
p. 124.

Thomas,
p. 235.

167. It was not often argued by the employers that a definite fall in wages would result from a 48-hour week. It was said that the wages paid to assistants of market traders would be reduced in the aggregate, owing to employment becoming less than a full week. It was also stated that, since chemists cannot increase the prices of the articles they sell, they would have to pay lower wages, as in order to give necessary services they would have to employ more staff, or pay overtime. The representatives of the Multiple Shop Proprietors said that the necessity for extra staff would result either in decreased wages or increased prices.

168. Another argument was that the reduction of hours would result in the establishment of a time rate, and would curtail the present system of payments for broken time, sickness and holidays, and other special concessions made by employers. Thomson, p. 226.
169. Finally, it was said that any limitation of overtime would reflect itself in the earnings of the employees, who would receive less overtime pay, and this would be resented by the assistants. Kay, p. 392.

(b) *Employment.*

170. In trades where long hours of opening are necessary, such as butchers' and newsagents' shops, the necessity of taking on another assistant might, it was argued, drive small employers out of business, whilst others would give up their premises and take to hawking their wares in the street. It was also said that in markets, where traders are already standing assistants off, a 48-hour week would increase this practice. Cairns, p. 107.
S. H. Hunt, 831 (S.R.).
Cowley, 1440 (S.R.).
Edgar
Hunt, p. 316.
171. In all shops, it was said, the proposed limitation of hours would militate against continuity of employment. Employers could not afford to maintain infirm or elderly assistants for "sympathetic" reasons, or to employ disabled ex-soldiers, for they would need competent assistants who could work strenuously throughout their 48 hours. The tendency would be to take on juniors, and to replace them by other young and strong assistants as they grew older. Also, employers in all trades would try to meet the increase in overhead charges consequent on a 48-hour week by employing more female assistants, who are less expensive. J. T. Clark, p. 152.
McKim, p. 255.
J. T. Clark, p. 157.
172. It was alleged that in trades where there are seasonal fluctuations, such as wholesale businesses, and shops in holiday resorts, employers would tend to take on casual labour during "rush" periods and dismiss assistants in the slack seasons. This would result in the creation of a class of casual shop workers whose lack of skill and knowledge would react on the efficient conduct of business. Walker
Clark, p. 5.
J. T. Clark, p. 152.
Matkin, 1184 (S.R.).
173. One witness argued that the proposal would not affect employment, because shopkeepers, while keeping the same number of employees, would limit their hours of opening, which would be to the inconvenience of the public. It was also argued that the employment of casual labour would be impossible in businesses where special knowledge is needed. Cowley, 1317 (S.R.).
Cowley, 1338 (S.R.).
Kay, p. 392.
J. T. Clark, p. 156.

C.—EVIDENCE CONFLICTING WITH THE ABOVE ARGUMENTS.

174. Not only was there no unanimity, or even general consensus, of opinion amongst employers as to the effect of a 48-hour working week, but other witnesses expressed precisely opposite opinions to many of those given by employers. Employers themselves have Isard, p. 382.

given evidence that wages " have been enormously voluntarily improved during the last ten years, and have not been lowered, though overhead charges have greatly increased."

D.—CONCLUSIONS : EFFECTS ON WAGES AND EMPLOYMENT.

175. It is obvious that these two subjects, Wages and Employment, are dependent on one another. Assuming, for the sake of argument, that the total wage-bill cannot be raised, the only reason for a decrease in individual wages would be that staffs would have to be enlarged, i.e., that employment would increase. On the other hand, if employment is not increased by the employment of additional workers, or if it is actually diminished, there is no reason, apart from the payment of overtime, why the total wage-bill should increase.

176. Past experience and present practice are against the view that such restriction of hours of labour as has already taken place has necessarily caused wages to fall. Employers who have already established a 48-hour week have not, as a general rule, found it necessary to reduce wages as a result of their shorter hours. Indeed, the fact that a large number of employers will not be affected by the change, and will presumably continue paying their present wages, will tend to maintain the general level.

177. Many considerations operate, and will continue to operate, in the determination of wages, but, broadly speaking, they are determined by an adjustment between the demand for, and the supply of, labour. These are the two primary factors—the amount of labour of a certain kind which the employer requires, and the remuneration which the worker in all the circumstances is prepared to accept. No valid evidence has been adduced that either of these factors will be substantially changed by a restriction of hours. The amount of the services rendered will remain broadly the same, because the total amount of trade done will not be altered.

178. There are, in the opinion of Your Committee, no grounds for the common assumption that the shopping habits of the public are unchangeable, but this is necessarily a question of degree. If further changes in shopping hours result from a limitation of hours of employment, Your Committee see no reason to believe that the public will not adapt itself to new conditions, without depriving itself either of necessities or luxuries, provided that such new conditions are reasonable in character and not unduly oppressive. This question is dealt with more fully in the Section of this Report entitled " General Conclusions as to the desirability of a legal limitation of working hours."

179. Your Committee believe that, as a result of their recommendations as to overtime, employment would be only slightly affected by a limitation of hours. As has been pointed out, the

total amount of distributive trade to be done would remain approximately the same. In some shops, especially in those of the larger shops which are now understaffed, and in shops which are open for long hours, an increase of staff would probably take place. There might also be some increase in casual or temporary employment, but this is only possible within strict limits.

180. A point which should not be ignored is that the longer hours of leisure, which would be enjoyed for the first time by a large section of the community, would probably lead to some increase of employment in the industries catering for recreation.

181. Your Committee would point out, in conclusion of their remarks on these two questions of wages and employment, that the shop assistants, as far as can be judged from the views of representative organisations, would be prepared to take the risk of the consequences suggested, if risk there be, rather than sacrifice the advantage of a limitation of working hours.

E.—PRICES.

182. Only the representatives of the Grocery trade were of opinion that an increase in prices would result from the proposed limitation of hours. As has been pointed out, the witness of the United Kingdom Association of Multiple Shop Proprietors was uncertain whether a 48-hour week would cause a rise in prices or a fall in wages.

J. T. Clark,
p. 153.

Thomas,
p. 235.

183. Your Committee believe that a 48-hour week for shop assistants would have no appreciable effect on prices. It has never been suggested that prices are higher now in establishments where a 48-hour week is worked, than in other shops. Though fears with regard to a rise in retail prices were expressed in connection with the earlier closing of shops, experience has shown them to be unfounded. Prices are determined in the main by other causes. The demand for commodities will remain the same, and we see no reason to believe that the supply will be in any way diminished. The competition of the one-man shops, as long as any appreciable number of these continue to exist, would be alone sufficient to prevent a rise in prices.

F.—SOME ECONOMIC ADVANTAGES OF A LIMITATION OF HOURS.

184. It is probable that a 48-hour week for shop assistants will lead to the earlier closing of a number of shops. This might in itself result in a diminution of some overhead charges.

185. It should also be remembered that excessive hours lessen efficiency on the part of the assistants themselves. The Final Report of the "Balfour" Committee on Industry and Trade states:—

"Though we are bound under our terms of reference to look at the question of hours, like that of wages, primarily from the point of view of competitive power, we fully recognise

the importance of its social side, and it has in fact been abundantly proved that excessive, irregular and ill-arranged hours of labour have an injurious effect on the health and consequent efficiency of the worker which is, generally speaking, reflected in increased cost of labour."

186. With the best of good will, it is not physically possible to work at a high level of efficiency and speed for unduly long hours. A certain maximum is necessary if the workers are to have the leisure which will keep them fresh and fit, physically and intellectually. A considerable amount of skill is needed by all assistants; long hours of standing, often in a stuffy or crowded atmosphere, involve a strain; and it is part of the duty of a shop assistant to display social gifts which must deteriorate when the hours worked are too long.

VII.

General Conclusions as to the Desirability of a Legal Limitation of Working Hours.

A.—THE DESIRABILITY OF LIMITATION.

187. Taking into account the evidence as to the present hours of work and the conclusions as to the probable economic effects of statutory limitation on the basis of a 48-hour week, Your Committee are of opinion, subject to the explanation in Paragraph 294 of this Report, that the hours of work of all shop assistants, as defined in Paragraphs 69 to 71, should be limited by law. The question of the exact number of hours to be adopted, which is discussed later in this Report, will for the moment be left open.

188. It should be noted, as a fact of overwhelming importance in this connection, that there is one economic objection which is commonly urged against the limitation of hours in other industries, but which has no application whatever to shops. This is that it would handicap the industry of this country in competition with that of other countries. It is obvious that the distributive trade, by its very nature, must be done in this country, and cannot be subject to foreign competition in any respect.

189. The International Labour Organisation Report on the Hours of Work of Salaried Employees, already quoted, says:—

"Towards the end of the 19th century, not infrequent references were made to shop assistants as being one of the classes of workers for whom a statutory reduction of working hours could be contemplated without misgiving, and was indeed urgently required. . . . A number of writers could find no adequate reason for this absence of regulation, at least as regards local traders . . . to whom the main argument

of the opponents of legislation, viz., that statutory regulation would endanger the foreign trade of the country concerned, has no application."

190. The strongest possible proof that by organisation and shorter hours of opening, a 48-hour or even a 44-hour week can be operated, is to be found in the experience of the large number of firms which have already adopted such maxima, and, in particular, of the Co-operative Movement. Evidence given to Your Committee on behalf of the Co-operative Union, Ltd., showed that the industrial co-operative societies represented in this federative body—retail, wholesale, distributive and productive—had, in 1929, 6,000,000 individual members, and employed 133,383 workers in distribution, wholesale and retail. The total sales for 1929 amounted to £346,320,683, and the retail distributive trade done, with over 100,000 employees, amounted to about £200,000,000. Throughout this organisation the 48-hour week is general for shop assistants (in the Northern area the maximum is 44 hours), while clerical workers connected with the shops work from 40 to 44 hours. So far as the retail side of the movement is concerned, it was stated that the 48-hour week became substantially operative from 1910 to 1912, and has been general since about 1916. On the wholesale side, the hours worked give an average of 41 hours or less. It is to be noted that, in a number of places, the Co-operative Store is the only shop existing.

Jones, 847,
878.

191. A consideration which Your Committee regard as one of the greatest importance, namely, the attitude and interest of the general public, will be dealt with in the succeeding paragraphs.

B.—THE INTERESTS OF THE PUBLIC.

192. The witnesses of the Federation of Grocers' Associations said that it is impossible to legislate nationally for something which cannot be regulated nationally, namely, the different requirements of consumers of food in all the different types of districts which they are called upon to serve. Many witnesses argued that since the convenience of the public must be consulted, and they must have food, food shops in particular must be kept open for long hours, especially in districts where the people do their shopping after or before the day's work. The present hours of opening were, it was said, the minimum at which an efficient service to the public could be given, and if a 48-hour working week were established, it would mean that many shops would be forced to close earlier, and the public would be inconvenienced. Also, there would be less chance of selling such perishable commodities as soft fruit, so that either such goods would be wasted, or they would not be ordered from the producer.

J. T. Clark,
p. 154.

Matkin,
1076 (S.R.).

Cowley,
1465 (S.R.).

193. Other witnesses prophesied, not that shops would be forced to close earlier, but that the introduction of a 48-hour working week

Walker
Clark, p. 5.

might act in a contrary direction, and bring about an agitation for the abolition of early closing restrictions, which might be argued to be no longer necessary if a shift system became general. This, it was said, would have a serious effect on the small shopkeeper, who could not afford extra assistants, and would therefore be unable to compete with firms that could.

194. These arguments are mostly based on the supposition that the shopping habits of the public are unalterable. Your Committee hold, on the contrary, that this is not so; that the public has easily adapted itself to past changes in shopping hours, and that there is no reason why it should not continue to do so. Your Committee believe that if earlier closing of a number of shops were to result from the limitation of the hours of shop assistants, the public would find it possible to adapt itself, within reasonable limits.

195. This is recognised by a number of the shopkeepers themselves, and there is a strong movement for earlier closing of shops in considerable sections of the distributive trade. The Departmental Committee which enquired into the working of the Shops (Early Closing) Acts, 1920 and 1921, reported that "there is a considerable body of opinion in favour of fixing 7 p.m. instead of 8 p.m. as the general closing hour for shops, on days other than the late day." The Drapers' Chamber of Trade, which claims to speak for 75 per cent. of the drapers in the country, in their evidence before that Committee said that "late shopping was a habit rather than a necessity. . . . The takings in shops were not decreased by early closing. . . ."

196. Many witnesses before Your Committee declared that the general public can and will adapt itself to still earlier closing of shops, and there is abundant evidence that, in spite of complaints that the minimum had been already reached, every move made in the past in this direction has been accepted without serious difficulty by the general public, to the advantage of all concerned.

Rose, 4459.

197. In the Hair-dressing trade, a few years ago, 90 hours per week were regularly worked, and this was defended on the ground of unalterable public needs. Such hours are now no longer regarded as necessary by anyone. Even in the food trades, where it is said that specially long hours are needed on the ground that the public must be free to shop at almost any time, we find that the public has easily adapted itself to doing without these facilities, both on Sundays and half-holidays, and also (under local Closing Orders or voluntary arrangements in many cases) to a much earlier closing hour than the general hour of 8 p.m. The Secretary of the Early Closing Association said that "the public could, if they liked, do all their shopping within eight hours a day."

Larking,
5546.

198. It can be seen, further, from the Reports of the Departmental Investigators, that the hours of opening in a particular trade

vary widely in different places. This happens not merely in districts of different type, but in districts of precisely similar type. The Departmental Investigator in the seaside towns of Bournemouth, Southend and Great Yarmouth, and the rural towns of Dorchester and Wareham, gave tables of the average normal hours of work in those places which showed an extraordinary variation. She concluded that the convenience of the public which "is said to govern the shop-closing hours" varies not only as between towns of one kind and another and between shops catering for richer and poorer classes, but also "as between two seaside towns catering for the same class."

Dep. Inv.,
pp. 35-39.

Dep. Inv.,
p. 54.

199. This clearly proves that the supposed demands of the public as to shopping hours are not determined by any definite or measurable requirements, but, to a large extent at least, by accidental circumstances. A witness giving evidence on behalf of the University of Liverpool Social Survey of Merseyside, spoke of the "bad habit" in Liverpool of keeping shops open until eight o'clock at night, and said: "I do feel that the late hours on Saturday are very reprehensible in Liverpool in that way—and it is just social habit."

McCrindell,
4046.

200. It is a significant fact that a similar amount and a similar type of opposition was made to the movement for Early Closing, as is now made to the limitation of shop assistants' hours of work. Even the objections raised were essentially the same, being founded mainly upon alleged interference with "the liberty of the subject," and the deleterious results to be anticipated from it.

Larking,
5472-81.

201. Shopping is now more evenly spread out over the day than it used to be, and it is probable that a gradual change in this direction may be anticipated. It is true that in a number of seaside resorts the hours of work in grocers' shops are tending to lengthen "owing to the great competition in this trade." But "several private traders say that they do no more trade now when their shops are open till 7 p.m. than they did when they closed at 6." "They say that the last hour of the day is unproductive, and clearing up is done then."

Jones, 957.

Dep. Inv.,
p. 46.

C.—THE EFFECT ON THE RELATIONSHIP BETWEEN EMPLOYER AND EMPLOYED.

202. It was stated by many witnesses representing employers' organisations that the limitation by law of working hours would spoil the friendly and easy-going relations between shopkeepers and their staff which are said to exist at present. The employers, it was said, would be forced to exact continuous hard work from their assistants, and there would be a tendency to curtail or do away with the numerous privileges and concessions which are granted in the way of pay during sickness and annual holidays,

Whitehead,
1496 (S.R.).

Walker
Clark, p. 3.
J. T. Clark,
pp. 152-5.

bonuses, leave of absence, extra intervals for refreshment, etc. The family atmosphere would be replaced by the factory atmosphere, and it would no longer be possible to keep on employees who had grown old in the service of the firm, and whose efficiency was no longer such as to warrant their being employed for other than sympathetic reasons. There was also the danger that the statutory maximum might become the minimum, and that those assistants who now worked short hours would be forced to work up to the maximum.

203. Your Committee feel that this contention, while it may have contained some truth in earlier times, has lost much of its force to-day owing to the growth and present predominance of the large business. The kind of personal relationship which once existed has been largely replaced, whether for good or for evil, by the "cash nexus." It cannot be suggested that it survives in establishments where the assistant does not even know the names of the directors.

204. Further, while Your Committee gladly recognise that the present relations are happy ones in a majority of cases, the number of complaints reported by organisations of employees, and of grievances of which the assistants are too timid to complain, mentioned by independent witnesses, such as welfare workers, makes it impossible to say that these relations are so universally satisfactory as has been alleged by many employers.

Kelly, 2180.

205. In any case, Your Committee can see no reason for believing that employers would penalise their assistants, who are not responsible, because Parliament imposed a restriction upon the hours of employment. Your Committee have too great a belief in the natural reasonableness and kindness of the vast majority of shopkeepers. Legislative changes may have various effects on the action which the employer takes; but there is no reason why they should in any way affect the human relationship between himself and his employees.

D.—SUGGESTED SYNCHRONISATION OF HOURS OF WORK AND HOURS OF OPENING.

206. Some employers specifically asked that if the hours of labour were limited, the hours of opening should be made to coincide with them, and on 22nd May, 1930, at the Annual Conference of the Early Closing Association, a resolution was passed "that any attempt to restrict by legislation the hours of labour of shop assistants must be in conformity with and concurrent to the compulsory closing hours of the premises." Your Committee are of opinion that if power were given to local authorities to make Closing Orders for an earlier hour than 7 o'clock, this would help towards the establishment of the above principle.

Barlow,
1182.

Thomson,
226.

Larking,
p. 445.

E.—THE DESIRABILITY OF A 48-HOUR WEEK.

207. The question of the number of hours which should constitute the normal weekly maximum must now be considered. A limit of 54 hours per week has been suggested by witnesses. Your Committee, by a majority, as explained in Paragraph 294 of this Report, recommend that the normal hours of employment of shop assistants should be limited to 48 per week, exclusive of meal times, and that certain provisions, as set forth in Section VIII of this Report, should be made for overtime.

MacLaren,
p. 45.
J. T. Clark,
p. 155.
Harraway,
p. 460.

208. Your Committee, however, unanimously recommend that in the case of young persons, a 48-hour working week should be imposed.

209. This particular number of hours, namely 48, has the following advantages :—

- (a) It is specifically mentioned in the Order of Reference.
- (b) It is the maximum already adopted by large numbers of firms, and, in particular, by the Co-operative Movement.
- (c) Statistics given in evidence show its adoption in many other branches of the retail and wholesale trade, and in individual firms, by voluntary agreement.

Mr. J. R. Leslie quoted in his evidence a number of instances where he had negotiated agreements with firms, other than Co-operative Societies, who are already operating a 48-hour week or less. He estimated that about a quarter of a million shop assistants were involved. Mr. Leslie also mentioned a number of cases where employers' associations have agreed that there ought to be a legal limitation of the assistants' hours, though they did not agree to a 48-hour week, some wishing for 50 hours and some for 52 hours.

(d) It is the limit demanded by all organised bodies of shop assistants, both at home and abroad.

(e) It is the limit adopted in the Washington Convention, and in the Hours of Employment Bill now before Parliament, as far as industrial workers are concerned.

(f) The International Labour Office has drawn up a Draft Convention, published in 1930, for the hours of labour of "salaried employees," including shop assistants, which makes the 48-hours week its aim.

(g) Under the Trade Boards it is common to fix 48 hours as the maximum beyond which overtime rates must be paid.

VIII.

Overtime.

A.—PRELIMINARY.

210. Your Committee were very much impressed with the evils of the present position as regards hours worked in excess of the normal

period, or so-called "overtime." The facts with regard to such overtime have been stated in paragraphs 128-147 of this Report. It falls into two distinct categories :—

(a) The overtime which is regularly worked after closing hours, and sometimes before opening hours, in certain classes of shops.

(b) The excess hours worked at certain busy periods of the year, in a greater or lesser degree in all shops, which may be called seasonal overtime.

211. The evils of the present system are :—

(i) The lengthening of the hours of the shop assistant, which are in many cases already very long.

(ii) The uncertainty which prevents the assistant from making full use of his or her leisure hours.

(iii) The fact that long hours are not always recognised as "overtime."

212. While alive to the bad effects of the lengthening of hours of shop assistants, Your Committee cannot, at the moment, see their way to recommend the abolition of overtime. The only means of dealing with this problem seems to them to be by regulation and limitation.

B.—RECOMMENDATIONS.

213. In the event of a 48-hour week being established by Parliament, Your Committee make the following recommendations :—

(i) In certain trades where there is a reasonable demand for such excess hours, a fixed amount of overtime should be allowed throughout the trade.

(ii) Overtime should be paid for at a rate not less than one and a quarter times the rate for normal hours of employment.

(iii) The decision as to the trades in which overtime should be allowed, and its amount, should be placed in the hands of the Local and National Advisory Boards, as suggested in Paragraph 292 of this Report. Failing agreement in the Local Board, any separate section of the distributive trades should be entitled to appeal to the National Board for the fixing of the appropriate maximum amount of overtime, both per day and over whatever longer period of time might seem desirable.

214. In making these recommendations as to overtime, Your Committee trust that the enforcement of the higher rate of pay will have the effect of restricting the amount of overtime to what is essential to the business concerned.

IX.

**Effects of a 48-Hour Week on Organisation of Work in Shops:
Methods of Application to various kinds of Trade.****A.—ALLEGED EFFECTS ON ORGANISATION.**

215. It was stated in evidence by the representatives of numerous employers' organisations that there would be the greatest difficulty in applying a 48-hour working week to their particular trades. Your Committee propose, therefore, to set out their arguments at length.

216. It was said that there are a number of shops where more than 48 hours are now worked, and where it is necessary to keep open more than 48 hours, if the public is to be properly served, waste avoided, and a reasonable profit secured. These are, in particular, (i) food shops, where perishable goods are sold, and (ii) shops in suburban and industrial areas, where the worker, including the shop assistant, does his shopping before or after his own working hours.

217. In these shops, it was said, if a 48-hour week for the assistants becomes law, a shift system will be necessary if the shop is to be kept open for longer than 48 hours a week, plus meal times. This would entail keeping an elaborate and costly record of hours worked, for the use of inspectors.

218. It was recognised that an alternative method of complying with the proposed law, whilst remaining open during the rush hours in the evening and early morning, would be to shut the shop for a period during the early afternoon, when little business is done in a number of trades. But some employers object to this proposal, on the ground that "opening and shutting a business is like starting a second day," or that the workers themselves object to split hours.

(Matkin,
1223 (S.R.).
Hall, 1461
(S.R.).

219. It was prophesied that the smaller shopkeeper, especially in depressed areas, would be driven out of business, as he could not afford the alternative of decreasing his hours of business or increasing his staff. Special hardship, it was said, would fall on newsagents, who have to keep open early and late, and who not only have to contend with uncontrolled street trading, but are also unable to raise the selling price, already low, of their wares.

Walker,
Clark
pp. 5-6.

MacLaren,
p. 45.

220. If, on the other hand, the alternative of decreasing the hours of business were adopted, this would lead, it was said, to less business being done, since "facilities for purchasing lead to purchasing."

Kay, p. 392.

221. The National Chamber of Trade alleged that overtime and the paying of overtime rates would be avoided wherever possible, and the result would be a much greater intensity of work throughout the 48-hour week, without any compensating advantages. Other employers also stressed the probability of more intensive labour.

Walker
Clark, p. 3.

222. Finally, it was argued by the employers' organisations concerned that it would be specially difficult, or perhaps impossible, to apply a 48-hour week to the following classes of workers in distributive trades :—

Stephens,
p. 35.

(i) Assistants engaged in the checking and despatch of delivery vans in country districts.

Thompson,
p. 225.

(ii) Vanmen working in sparsely populated districts, such as the North of Scotland.

Cross,
pp. 247-8.

(iii) Commercial travellers, owing to difficulties of enforcement.

Robertson,
pp. 262-3.

(iv) Workers on licensed premises, where the permitted hours of opening are 48, and in some cases 51, but where much cleaning, etc., has to be done before or after closing hours.

Payne,
pp. 365-6.

(v) Employees selling refreshments in the auditorium or bar of a theatre.

Reeves-Smith, p. 176
Jarvis,
p. 373.

(vi) Employees in hotels.

(vii) Workers in wholesale businesses, owing to big seasonal fluctuations in pressure of work.

Isard, p. 380.
Farrington,
p. 428.

B.—CONCLUSIONS AS TO EFFECTS ON ORGANISATION.

223. It is clear that some of these difficulties are met by the recommendations of Your Committee under the headings of " Definition of term ' Shops ' " and " Definition of term ' Shop Assistant ' " (see Section III of this Report). The remainder will be, in the opinion of Your Committee, sufficiently provided for by the recommendations made with regard to Overtime in Section VIII of this Report, and by improved organisation.

224. The arguments are, broadly speaking, the same as those which have been urged by traders in the past against every limitation either of working hours or of trading hours. They do not appear to have been borne out by experience. They are matters of opinion, and numerous other witnesses expressed opposite opinions.

225. Your Committee have come to the conclusion, after considering all these difficulties, that the organisation of work in shops could be adapted, without serious difficulty, to the restricted hours above proposed for the individual shop assistant, with a fixed amount of overtime. It is obvious that no sudden and immediate application of the new regulations would be demanded, and that a period would be allowed for adjustment. Given sufficient time to adapt their arrangements, the special circumstances which the various trades have to face could be met by one or other of the

methods which have already been adopted by the Co-operative Movement, and by many out of the great number of shops in which the weekly hours of opening do not now exceed the 48-hour total, plus the hours allowed for meals. It must also be remembered that the recommendations of Your Committee with regard to Overtime have a most important bearing on this question.

226. When there is more than one assistant, the practice in many shops has been to adopt one or other of the following methods:—overlapping hours; long and short days; the long and short week; the early and late week; relays; or shifts. Full and minute details of a large number of cases where these methods are in operation have been supplied by the Departmental Investigators.

C. METHODS OF APPLICATION OF A 48-HOUR WEEK TO VARIOUS KINDS OF TRADE.

227. Amongst the many methods which have already been adopted, the following instances may be mentioned:—

In a working class suburb of Bournemouth, 44 and 49 hours are worked in butchers' shops, by means of closing for two short days at the beginning of the week, a similar arrangement being made by the local Co-operative Societies. In Co-operative shops where the 48-hour week is operated, the shop sometimes opens half-an-hour later than other shops, the assistants are given long intervals for meals, and where possible, shops are closed at 6 p.m. on Mondays, Tuesdays and Wednesdays. Frequently the Co-operative Stores close completely at the dinner hour, which is generally a slack hour for shops. The Departmental Investigators gave valuable information regarding the working of the shift or relay system in the tobacco trade, newsagents (including station bookstalls), confectionery shops, bakers' shops, etc. In tobacconists' shops at seaside resorts on the South Coast, a certain amount of application of the shift system and relay system is found. The Investigator in certain towns in Warwickshire found that a shift or relay system of hours or some other arrangement designed to reduce the assistants' hours of employment as far as possible, whilst ensuring an adequate service throughout the week, was found to operate in 31 per cent. of the tobacco shops and 29 per cent. of the confectionery shops visited. In most cases the hours overlap.

228. The system of closing the shops, or keeping them open without help from the assistants, in order to enable them to leave for several hours during the slack part of the day, was described as fairly general in the catering trade, but was much deprecated by two witnesses on the employees' side. It was, nevertheless, advocated by several witnesses (also on the employees' side) as

Dep. Inv.,
p. 41.

Dep. Inv.,
p. 46.

Dep. Inv.,
p. 41, 87-8,
100, 110,
190-1, 285-6,
etc.

Dep. Inv.,
p. 47.

Dep. Inv.,
p. 66.

Phillips,
1858-9
(S.R.).

Rose, p. 354. Gillian, 5308. regards hairdressers' and chemists' shops, in both of which late evening hours are said to be necessary. In many suburban areas, where late shopping is customary, there is the possibility of closing altogether for some hours during the day, for example, from 1 p.m. to 5 p.m.

Harrison, 705-9 (S.R.) 229. Evidence was given of a working-class restaurant in Edinburgh where the shift system is working, and the employees are given an 8-hour day. It was urged that such a system should be made compulsory where a restaurant is open for more than 12 hours a day. It may be noted that the Departmental Committee on the Shops (Early Closing) Acts, 1920 and 1921, while regarding the shift system as impracticable or inconvenient in certain classes of retail shops, said in their Report that it "may be suitable for restaurants and other places of refreshment."

230. The above examples will give some idea of the great variety of alternative arrangements which have been adopted, and therefore might be adopted, probably in ever-increasing variety, to meet the difficulties which, at first sight, the problem of shorter hours presents.

231. Your Committee would suggest that, in point of fact, the employers concerned will, in course of time, not merely surmount the difficulties named above, but also effect general all-round improvements in the adaptation of their methods.

X.

Arrangements for Enforcement.

Thomson, p. 224,
Walker
Clark, p. 6.
J. T. Clark,
p. 158.

232. It was stated by employers' organisations that a 48-hour week would be very difficult to enforce, and very easy for unscrupulous tradesmen to evade. Either employers who honestly carried out the requirements of the law would suffer from the competition of those who did not, or a very large inspectorate would be necessary. This would be unpopular with many people who felt that there were enough inspectors of various kinds in the country already, and would be an additional drain on the taxpayers' pocket. The difficulties and expenses of inspection would be still further increased by the probable increase in street trading caused by small shopkeepers giving up their premises.

Chamings,
210, 216
(S.R.)

233. Other witnesses maintained that a 48-hour week could be enforced without any great increase in the number of inspectors, and none of the independent witnesses could see any serious difficulty in the question of enforcement. The Chief Officer of the Public Control Department of the L.C.C., when asked whether any increase of his staff would be necessary if he had the task of enforcing legislation imposing a 48-hour week, said that he thought any increase required "would be only a reasonable one." He

stated that "from a wide experience of London people, I find that when you get a law into their minds they are an extraordinarily law-abiding people." Chamings, 208 (S.R.)

234. The opinion expressed in evidence, that the assistants themselves would see that they get their legal rights, is worth recording. Leslie, 432 (S.R.)

235. Your Committee consider that the authority for enforcement both of a limitation of hours of employment and of regulations concerning health and welfare should be the local authority at present responsible for enforcing the Shops Acts, under the general supervision of the Home Office, and, in Scotland, the Secretary of State. The principal Shops Inspector of the local authority should submit regular reports to the chief Police Officer, and should secure the co-operation of the police, where necessary.

236. It should be noted that arrangements are often made for various kinds of inspection to be carried out by the same inspector, e.g., sanitary inspection under the local authority, Weights and Measures inspection, etc. Thus, in the City of Liverpool, not only are the Shops Acts administered by the Shops Inspectors, but also the provision of sanitary conveniences in shops, and that portion of the Public Health (Meat) Regulations, which has reference to the sanitary condition of premises in which meat is sold or exposed for sale. These inspectors are also responsible for seeing that the shops are provided with suitable receptacles for trade refuse. The female inspector, in addition to her duties under the Shops Acts, also carries out the provisions of the Order made by the Ministry of Health with reference to "prohibition of the employment of women after childbirth," and in this connection 546 visits have been made to factories and workshops within the City, in order to explain the requirements of the Order.*

237. Your Committee are of opinion that the closer supervision of shop hours could be carried out without any great increase in the inspectorates. In the County of London, 13 inspectors do the work under the Shops Acts; and normally, every shop and stall is visited once a year.

238. A certain extension of the work of the inspectors would result from the fact that the provisions of the Shops Acts relating to adult assistants refer only to premises where retail trade is carried on, whereas the proposals of Your Committee cover the wholesale distributive trades as well.

239. Your Committee are of opinion, however, that, even if some increase in the inspectorate were involved, the advantages which would accrue from their proposals would be well worth the extra outlay.

240. Your Committee have been impressed with the fact that there is no statutory power lying in any Government Department

* "Report on the Health of the City of Liverpool during 1928".

to supervise the administration by local authorities of the Shops Acts, and are strongly of the opinion that the Secretary of State for Home Affairs and the Secretary of State for Scotland should be specifically entrusted, by statute, with the general supervision of all the provisions of shops legislation. They should also have power to make any regulations necessary for this purpose, and to require the regular submission of reports and any other necessary information.

XI.

The Health and Welfare of the Assistants.

A.—PRELIMINARY.

241. Your Committee have heard evidence from many sources concerning the health and general welfare of shop assistants, and conditions which would influence health and welfare. Especially valuable evidence was obtained from medical sources, from the Reports of the Departmental Investigators, from independent welfare workers and social investigators, and from representatives of Shop Assistants' organisations. The representatives of Employers' Organisations almost invariably confined themselves to saying that conditions of health and welfare had improved greatly, and were now good; that there was no need for increased powers of inspection of premises; and, in general, no need for further statutory supervision.

242. It was agreed by all witnesses that conditions had greatly improved during recent years, owing to shorter hours, Daylight Saving, the operation of Public Health Acts and Local Acts, and the enlightened action of many good employers, especially in the larger shops. Evidence was obtained, however, and was corroborated from many sources, that conditions still exist in shops which call for very considerable improvement, and which are in many ways inferior to those obtaining in factories and workshops.

B.—HEALTH.

(a) *Statistics of Mortality.*

243. Statistics were obtained from the Office of the Registrar-General, Somerset House, which gave a detailed analysis of the mortality amongst male shop employees during the years 1921 to 1923.* Similar statistics for females are not available, and this, combined with the fact that the figures are not absolutely up to date, and have reference to a time when the after-effects of the war period were still much felt, tends to lessen their value in a slight degree. Nevertheless, salient points do emerge from them which, seen in the light of other evidence, give them very considerable value.

* See Appendix B, in Volume II: Appendices.

244. The figures showed that, taking salesmen and shop assistants as a whole, their mortality was slightly less than that of the general population. There was a slight increase above the average between the ages of 16 and 20, and between the ages of 35 and 45.

245. Separate figures were given for three groups of trades. It was found, what at first sight seems surprising, that in the group consisting of the fish, meat, greengrocery and milk trades, which are carried on mainly in open-air conditions, the average mortality was 28 per cent. above that of the general population. In the grocery and provision trades, the mortality is 6.8 per cent. less, and in the textile and clothing trades, 2.7 per cent. less, than the general average. In each trade there was a noticeable increase above the average mortality for that trade amongst assistants between the ages of 16 and 20, and between the ages of 35 and 45. In the open-air trades enumerated above, this increase persisted up to the age of 65.

246. Figures were also supplied by the Office of the Registrar-General showing the ratios of various causes of death amongst shop assistants to the general mortality level from those causes. There was a noticeably higher average of deaths from diabetes (45.9 per cent. above average for whole population), and cirrhosis of the liver (21.9 per cent. above average). The average mortality from these diseases was higher in the food shops (especially in the open-air group), than in the clothing shops. The open-air trades already referred to showed the heaviest mortality from the above diseases (82.8 per cent. and 141.7 per cent. above average respectively) and from bronchitis (75.4 per cent. above average), heart disease (53 per cent. above), diseases of the circulatory system (51.8 per cent. above), cerebral haemorrhage (50.1 per cent. above), Bright's disease (49.9 per cent. above), diseases of the respiratory system (36.1 per cent. above), and pneumonia (23.3 per cent. above). In these and all other diseases in the list except tuberculosis and gastric ulcer, this group showed a higher average than either of the other groups of trades, the disparity being especially noticeable in the case of bronchitis.

(b) Interpretation of these Statistics.

247. Two different explanations were given by witnesses of the heavier mortality amongst shop assistants between the ages of 16 and 20. Some attributed it to the inclination of parents to place their more weakly children in what they considered to be one of the less strenuous occupations. Other witnesses took the view that it was due to bringing young people from the healthy conditions of school life into a life of long hours in closed shops, basements, etc. Your Committee are of the opinion that this slightly heavier mortality amongst those beginning shop life is due to both these

factors, each of which would naturally react on the other to eliminate the weaker children, whilst the others "became acclimated," or "got used to it," to quote various witnesses, until the effects began to tell on them from the age of 35 onwards.

248. The statistics relating to mortality from various diseases should be interpreted in conjunction with the facts given later in this Report as to the absence of heating in nearly all butchers', fishmongers' and greengrocers' shops; and in a large number of grocers' shops. The present hours of employment in food shops, which are longer than those in other shops, give the employees little chance of taking exercise, and this, combined with the cold they experience, apparently lowers their vitality, and makes them more prone to certain diseases.

249. Your Committee do not feel competent to express an opinion with regard to the noticeably higher average of deaths from diabetes and cirrhosis of the liver, referred to above in Paragraph 246. They are of opinion that the question might well be the subject of a Departmental Inquiry.

(c) *General Condition of Health.*

250. The general impression gained from the evidence given to us regarding the health of shop assistants is that they suffer much from lowered vitality and chronic affections which are attributable to long hours of standing, bad arrangements for meals, and lack of exercise, fresh air and natural light. A number of witnesses who had worked amongst shop assistants were agreed that the complaints from which the assistants very frequently suffer are flat feet and varicose veins. There was also a large proportion of hernias.

251. The conditions under which the assistants work, and particularly the long hours of standing, affect women with peculiar severity. Not only do they suffer from flat feet, varicose veins and inflamed toe joints, but also from anaemia, nerve strain and from every form of dyspepsia. They suffer from menstrual troubles, and frequently from uterine displacements, which lead to much back-ache and malaise.

(d) *Conclusions.*

252. Your Committee have endeavoured to obtain from the mortality statistics which show the diseases from which shop assistants are most apt to succumb, and from medical evidence showing the ailments to which they are most liable during their working years, a complete picture of the health conditions of shop employees.

253. As will be seen from the above evidence, there are no general "occupational diseases" of shop life, as there are in

Stewart,
629 (S.R.)
Philips,
1790 (S.R.)
Kelly, 2203.
Bentham,
p. 185 (S.R.)

Bentham,
p. 186 (S.R.)

many branches of factory work. (The only evidence of connection between a particular disease and a particular form of work in shops came from the representatives of the Boot and Shoe Repairing Trade Board, who stated that 50 per cent. of the persons who work at boot-repairing die of tuberculosis owing to the dirty and dusty nature of their work.) There is on the other hand a considerable amount of unnecessary ill-health and lowered vitality, leading to a depressed standard of physical well-being, and inability to get the best out of life, amongst a large section of the population. A welfare worker said that she did not think it could be necessary to ruin children's health, by making them work overtime, in the way she had seen it done year after year. The same witness spoke of the poor health and depressed outlook on life of workers employed for years in basements, and the long hours of overtime worked by them. She also said that it was her experience that after a "rush season", when much overtime was worked, the assistants were worn out and had no interest in anything, and the whole department would succumb to an epidemic of influenza. The representative of the Shop Assistants' Union, referring to the lack of heating in many shops, said that after the very cold weather of February, 1929, the number of sickness claims beat all records. The natural corollary to all this evidence was supplied by a witness who said that when the assistants had a chance to play games they came back to work with added energy, whereas the others were "as dead as door-nails".

Orchard,
2029-30
(S.R.)

Kelly,
2044, 2149,
2213-6.

Orchard,
2131 (S.R.)

254. There has been a great improvement in the conditions of shop life. Your Committee see great possibilities of further improvement. In this connection they wish to record their appreciation of the welfare work of a large number of employers who realise that a healthy, intelligent and contented worker is a valuable asset. Your Committee heard with pleasure of the canteens, rest rooms, rest intervals, sports grounds and general welfare arrangements and supervision which are provided by many large firms, and of arrangements whereby assistants can have a period of recuperation at convalescent homes which are largely supported by the contributions of the employers. Unfortunately there are still widespread conditions which call for improvement, and of which details are given in the following paragraphs.

Dep. Inv.,
passim.
Walker
Clark, p. 7.

C.—CONDITIONS IN SHOPS AFFECTING THE WELFARE OF THE EMPLOYEES.

(a) Preliminary.

255. The most valuable information regarding seats, heating, lighting, ventilation, sanitary arrangements, and other condi-

tions in shops which would affect the health and welfare of the assistants has been obtained from the Reports of the Departmental Investigators. This has been supplemented and borne out by the evidence of a number of independent witnesses and representatives of the assistants' organisations.

(b) *Provision of Seats for Shop Assistants.*

256. It is laid down in Section 3 (1) of the Shops Act, 1912, that seats shall be provided for female shop assistants in the proportion of one seat for every three assistants. Your Committee found that this provision had not been complied with in a number of cases. The Reports of the Departmental Investigators showed, for example, that 27.3 per cent. of the shops reported on in Islington, 17 per cent. in Westminster, 12 per cent. in Hammersmith and 8.3 per cent. of the shops examined in the City of London were without seats for the assistants; that there were no seats for assistants in 81 shops out of 202 reported on in Glasgow, and 15 out of 46 shops in Rothesay. In some other districts all the shops examined were provided with seats. In many shops, however, where there are seats, they are not provided specifically for the assistants. The seats are on the customers' side of the counter, and the investigators were told that the assistants could use them if necessary. In 21 out of 202 shops inspected in Glasgow there were seats for customers which the assistants could use. In 11 others the assistants were not allowed to use them. In other shops where there were no seats behind the counter, the Investigator was told that the assistants could use the seats in the back room if necessary.

257. What appears to be more serious than this breach or evasion of the law, from the point of view of the practical utility of this provision in the Shops Act, is the custom which prevails in nearly all shops whereby the seats are not used by the assistants.

258. This is not the case in the very smallest shops, where a more simple home-like atmosphere exists, nor in most cafes and restaurants, where of recent years it has become customary for the waitresses to sit down during the intervals of serving customers. But in any shops with pretensions to smartness and a false appearance of mechanical efficiency, the use of seats is in general discouraged in the supposed interests of "salesmanship" and "pleasing the customer". This fact was reported by all the Investigators and independent witnesses. One Investigator reported that the seats were rarely seen in use. Another saw only one seated assistant during her whole enquiry. In only one instance was it reported that the assistants were actually forbidden to use the seats. In most shops the assistants knew that it was considered to be a sign of slackness to sit down, so they remained

Dep. Inv.,
p. 27.

Dep. Inv.,
p. 315, 338.

Dep. Inv.,
p. 225.

Dep. Inv.,
p. 315.

Dep. Inv.,
p. 171.

Dep. Inv.,
p. 53, 149.

Dep. Inv.,
p. 315.

standing. One witness said she had been told repeatedly that if a girl sat down, the shopwalker soon found something for her to do and she was likely to lose her job altogether. Another witness said that the buyers prevented the girls from resting by the use of sarcastic remarks. This achieves its purpose, where, as in shop life, there is no *esprit de corps* amongst the assistants, and where the victims are young, tired and nervous girls, with everything to lose by fighting the tradition.

259. The explanations of this custom given by managers and others in authority are worth recording. In many instances it was reported that it was considered slack to use the seats, and that the girls were not supposed to look as if they had nothing to do. In one shop it was said that the girls "got used to standing"; in another that the managers "thought it looked more businesslike"; in another an Investigator was told that "it is unusual to desire to sit down during business hours". Some witnesses said that in busy shops there was no time for the assistants to use the seats.

260. The evil effects of long hours of standing have been already indicated. Your Committee consider that the suggested limitation of hours will in itself afford relief to the assistants. In addition, the present law must be made effective, not only by the provision of seats in all shops, but also by encouragement being given to use them when reasonably practicable. Your Committee recommend, therefore, that notices should be posted in every shop, setting forth the law with regard to the provision of seats for the assistants, and also stating that the assistants are intended to use them whenever possible. Where rest rooms are provided, an assistant who is tired or unwell should be allowed to use them, as is already the case in a number of shops.

(c) Heating.

261. The salient fact which emerged from the evidence as to the heating of shops was the entire lack of any form of heating apparatus, except sometimes in the cashier's desk, in the majority of food shops. This state of affairs is usual in nearly all butchers', cooked meat, fishmongers', fruiterers', florists' and greengrocers' shops and in the majority of grocers' shops. In some of these shops there are heating facilities in the shop, and in others in the back premises, though evidence was given that the assistants in some multiple provision shops were not allowed to light the grate at the back of the shop. In most food shops, however, the only heating provided is an electric radiator or hot water bottle for the cashier, and often there is not even this. What makes matters worse is that butchers', fishmongers' and greengrocers' shops usually have open fronts, whilst the shops of the multiple provision firms have tiled walls and floors and glass or marble counters.

Bentham,
2445-6 (S.R.)

Leslie, 432,
(S.R.)

Dep. Inv.,
p. 53, 149,
245.

Dep. Inv.,
p. 28.

Jones, 915,

Dep. Inv.,
p. 23, 50, 72,
etc.

Dep. Inv.,
p. 51.

Dep. Inv., p. 23.
 Dep. Inv., p. 310.
 Dep. Inv., p. 91.
 Willoughby, p. 133.
 Dep. Inv., p. 146.
 Cowley, 1291 (S.R.)
 Dep. Inv., p. 147.
 Willoughby, 1696.

262. The reason given for this absence of heating is that any heat would have an injurious effect on the wholesomeness of food. Your Committee wish to point out, however, that they received evidence that in a number of fish, fruit and provision shops, heating was provided, and was not regarded as harmful to the food. Heating is also provided in many Co-operative stores, and in a number of grocers' shops. The Medical Officer of Health to the Corporation of London gave it as his opinion that reasonable enclosure and warmth in winter could be ensured in food shops without damage to the stock. In butchers' shops, where it would be more dangerous to instal heating apparatus, the assistants were said to be the healthiest looking and most contented of any, owing to the active nature of the work, which prevented them from feeling the cold acutely. Evidence was also given that doctors sometimes recommended girls to obtain work in fruit shops, owing to the healthy nature of their wares, and a case was reported of a girl who left a millinery shop and recovered from anaemia in an open-fronted fish shop. These last are isolated cases, however, and, as has been pointed out, the mortality in these open-air and unheated shops is much higher than in any other group of shops. There is no doubt from the evidence received by Your Committee that the assistants suffer very severely from cold in this type of shop, and the cold is productive not only of chilblains, but lowered vitality and lowered power of resistance to disease. Heat is needed, said a medical witness, wherever the assistant has little opportunity of moving about.

Phillips, 1790 (S.R.)
 Dep. Inv., p. 23.

263. In the majority of shops other than food shops, the heating arrangements appeared to be satisfactory. Evidence was given, however, that there is room for improvement in lock-up shops, which were said to be very hot in summer and very cold in winter, and in station bookstalls, where the chief trouble is draughtiness. Gas fires are used very extensively for heating the smaller shops, and it was reported that there are often no arrangements for conducting the fumes to the outer air.

(d) *Ventilation.*

Dep. Inv., p. 145-6.

264. As Members of the House are aware, the perfect system of ventilation has not yet been evolved. In nearly all shops an attempt has been made to deal with this difficult and complex problem, and in the majority of cases satisfactory conditions can be reported. Many big shops pay much attention to ventilation, and some have installed elaborate air conditioning and distributing plant, though this is not always successful. It was admitted that the atmosphere in basement showrooms leaves much to be desired, especially when they are crowded with customers during a sale.

265. Most of the worst conditions were found in basements, where the air is often stagnant and impure. Sub-basements are naturally even worse, and the representative of the National Union of Shop Assistants pressed for their abolition. Bad conditions were also reported in small lock-up shops, where ventilation is often insufficient or absent, and in the draughty stalls in the bad air of railway stations. In some small shops the only means of ventilation was to keep the door open, which resulted in a draught. Other defects noted were as follows:—

Dep. Inv.,
p. 22.

(a) Draughtiness in food shops, especially those with open fronts.

(b) Covering of the doorway with goods.

(c) Overcrowding with stock.

(d) Vitiating of air in drapers' shops, from dust and handling of cloth. Leslie.

(e) *Lighting.*

266. The lighting of shops is usually adequate, though some defects were reported. Many shops, particularly the larger ones, realise that good lighting is a commercial asset, both as a means of competition and a means of saving time. Dep. Inv., p. 51.

267. Unfortunately, means of natural lighting are often insufficient. This is due not only to the long, narrow shape of some shops, into which daylight never penetrates, but also to the obstruction of the window by a crowded display of goods, or the erection of a partition between window and shop. Light is also often excluded by goods suspended in doorways, or inside the shop. Your Committee are of the opinion that what is needed is a reasonable compromise between the claims of window-dressing and the admission of natural light. Many shops can secure more adequate and suitable illumination by making more use of the material at their disposal. Basements, where much work is done, and where some assistants spend all their working hours, are, of course, always lighted artificially, and the lighting is not always satisfactory, cases of glare or shadow being noticed by Investigators. Dep. Inv., p. 23.

In the smaller shops very little attention is paid to glare or flicker, and unshaded lamps are common. This, with inadequate light, and continual work in basements, was said to cause much eye-strain amongst the assistants. Particular complaint was made of the lighting in many chemists' shops, where good light is needed for the correct reading of prescriptions. Dep. Inv., p. 147.

Bentham, 2449 (S.R.)
Gillian, 5281.

(f) *Sanitary arrangements.*

268. The sanitary arrangements in shops are said to be on the whole inferior to those in factories and workshops. This is largely Dep. Inv., p. 24.

Dep. Inv.,
p. 377.

due to the nature of the premises in small shops, lock-up shops, and kiosks, for there is little to complain of in the larger shops. As the Departmental Investigator who reported on the Dundee area said in her Report, the problem is closely related to that of housing, and the difficulty with the older properties is often a financial one. "Very often the properties are relics of a family inheritance now owned by many different members and out of which very little income is available for each, and that little often their sole support." In many shops, too, where there is very limited accommodation, more harm than good would be done by the installation of a sanitary convenience.

Willoughby,
1680.

Dep. Inv.,
p. 24, etc.

269. In a number of shops there are no sanitary conveniences at all. Lock-up shops and kiosks account for a considerable proportion of these. The assistants in these shops either use the nearest public lavatory, or go home, if it is near, or arrange to use the water closet in another shop, or an adjoining private house. Where, as is often the case, shops are attached to dwelling houses, the same accommodation is used. A number of cases of real inconvenience arise, when shops with one assistant have no readily accessible accommodation, and evidence was given that this often happens. It was reported that in the large market place of Yarmouth with over 500 stalls, there was a quite inadequate provision of public conveniences. With regard to the use of conveniences in private houses, it was reported that the assistants object to association on passages and stairs with persons whose standards often differ very widely from their own.

Dep. Inv.,
p. 378.

Dep. Inv.,
p. 24, etc.

270. In a very large number of shops there is no separate accommodation for the sexes, especially in the small and medium-sized shops, and shops in poorer districts. In the City of London, for example, men and women assistants use the same convenience in 10 per cent. of the shops inspected. In Stepney this happens in 41.8 per cent. of the shops.

Orchard,
2112 (S.R.)
Leslie, 435
(S.R.)
Dep. Inv.,
p. 214, 311.

271. It was also reported that the accommodation provided is not always in a satisfactory condition. Walls and ceilings are dirty and there is insufficient ventilation, in some cases, and some of the lavatories were said to be "in a beastly state." In one shop a tin can was used. It was reported from one district that the standard of cleanliness was usually low. In another, the shopkeepers admitted in a number of cases that the conveniences were not fit to use.

Dep. Inv.,
p. 147.

272. In some towns, the local authorities have taken action, and the general standard of sanitary accommodation has been raised. In Manchester and Liverpool, for example, the Sanitary Authorities have adopted the Order of the Secretary of State made under Section 9 of the Factory & Workshop Act, 1901, as the standard of suitability for sanitary accommodation in their areas. The accommodation is, therefore, similar in respect of number, structure and

arrangement to that in factories, but it is not always in a cleanly state. In other towns the authorities require that the conveniences should be separate for the sexes wherever possible, and in new buildings this is made compulsory. Complaints are made, however, that where a shop has been passed as in order, assistants of one sex only being employed, there is sometimes a change of ownership shortly after, and both sexes may be employed. In Glasgow, shops are subject to a periodical sanitary examination, and convenient and satisfactory water closets are required under the provisions of a Local Act. The problem of the necessity for structural alterations in many old buildings is, of course, general.

Dep. Inv.,
p. 52.

Dep. Inv.,
p. 312.

(g) *Facilities for Washing.*

273. It was reported that washing facilities of the standard required by Welfare Orders for factories are usually to be found only in the larger stores. In the smaller shops the standard seems to vary considerably in different districts, but on the whole it is unsatisfactory. In a considerable number of food shops, where the provision of proper washing arrangements is particularly desirable, no such provision is made, and in many of these shops there is not even a water supply. Water is fetched from outside for cleaning purposes, but the labour entailed does not encourage its use for personal washing. Lock-up shops, kiosks and stalls are notably deficient. In provincial shops, the facilities often consist of a kitchen sink, or a bucket under a tap in the yard. There is no hot water supply in the majority of shops. 70 per cent. of the shops in the City of London are without it, for example.

Dep. Inv.,
p. 52.

Dep. Inv.,
p. 25.

Dep. Inv.,
p. 149.

Willoughby,
p. 136.

274. Even where there are washing facilities, the provision of towels for assistants is usually unsatisfactory, except in the larger stores. In some shops no towels are provided at all; in others the assistants provide their own; in others an insufficient number of towels is provided. It is not usual to find that the ideal of a separate towel for each assistant has been attained.

(h) *Arrangements for Meals.*

275. The assistants in shops in the central business areas of London and other large cities usually live too far from their work to enable them to go home for meals. Those in shops where no canteens are provided are, therefore, obliged either to go to cafés or restaurants, which is a strain on their resources, or to bring cold provisions from home to eat in public buildings or public open spaces, which is a source of hardship in cold or wet weather, or to take their meals in the premises where they work.

Willoughby,
p. 132.

276. In more than half the shops reported on by the Departmental Investigators in the County of London, no mess-rooms were provided for the assistants. In shops where there is a mess-room,

Dep. Inv.,
p. 25.

Dep. Inv.,
p. 92, 148-9,
etc.

it is also frequently used by the staff as a cloak room and a rest-room. Drab or dirty mess-rooms were found in all districts. In Birmingham, conditions appear to be in general more satisfactory. In Manchester and Liverpool, there was a large number of shops in which no adequate arrangements were made, and some scandalous conditions were reported. A similar state of affairs was reported from other large cities.

Dep. Inv.,
p. 169, etc.

277. Where there are no mess-rooms, and the assistants take their meals on the premises, the meals are usually taken in the store-room or the "back-shop." The assistants often have to sit on boxes amidst tubs or cases, which serve as tables. Instances were given of meals eaten from paper, without plates, and tea being drunk out of jam-jars. Lunch and tea for many assistants appear to be a series of picnics in stuffy, drab or dirty surroundings.

Dep. Inv.,
p. 148-9,
215.

278. Instances were reported where assistants take their meals in great discomfort and these were said to be typical of numerous other cases. In one shop, "the only assistant, who was not relieved at mealtimes, was found crouching behind the counter taking her meal as unostentatiously as possible from a lower shelf. There were no means of cooking and no water supply inside the shop. The meal was frequently interrupted by customers." In other shops, meals were taken either crouching behind the counter, or "at a shelf in a corner of a dark stock-room" or "in a very small, dark and ill-ventilated basement heated by an anthracite stove," or "in a narrow strip of a room about 4 feet wide at the back of the shop," the room being unventilated and cumbered with boxes.

McC Crindell,
p. 325.

279. At the other end of the scale from these arrangements are the excellent restaurants or canteens provided by large firms, where the assistants can take hot meals in bright and comfortable surroundings, and where they are frequently given intervals of 10 minutes during the morning and afternoon for a cup of coffee or other refreshment.

Mr. "B",
3870.

Mr. "A",
3611.

280. In the provinces and in the suburbs of large cities the assistants are nearly always able to go home for the mid-day meal, and do so. The managers of multiple shops are often forced to take their meals on the premises, whilst the staff go out, and the accommodation for meals is crude or non-existent, the only heating appliance usually being a small gas-ring. One such manager, who gave evidence, said he took his dinner and tea behind the biscuit case, so that he could keep an eye on the shop. Tea is usually taken on the premises, and the arrangements are usually most uncomfortable. Assistants in the better class family shops are the most fortunate, for they are allowed to use the shop parlour or the kitchen.

(i) *Intervals for Meals.*

281. In a number of shops the assistants take their meals where they can be seen by anyone entering the shop, and they are thus liable to frequent interruption. Even where mess-rooms or canteens are provided, an assistant's meal is sometimes interrupted because a customer asks to be served by a particular individual. Dep. Inv.,
p. 52.
Kelly,
p. 184.

282. According to Mr. W. H. Coles, one of the most common complaints made to the Departmental Investigators was in regard to mealtimes. He said :—

“ The complaint is often made that assistants are not allowed to leave the premises during the mid-day meal interval, and that it was almost a universal practice that they should not do so during the tea interval. In the smaller type of shop complaint is often made that meals had to be taken in the shop and were frequently interrupted for the service of customers; that the assistant, although he has a statutory three-quarters of an hour, if he takes his food on the premises does not in fact get three-quarters of an hour's peace to eat his meal : he has to be hopping up and serving somebody. Another complaint in regard to mealtimes was that the full statutory 30 minutes' interval for tea was very frequently not given.” Coles, 5744.

With reference to the last point, one of the Investigators specifically reported “ that the statutory break between 4 and 7 is not generally observed.” The assistants in many shops therefore work without a break from lunch-time until the shop closes. Dep. Inv.,
p. 54.

XII.

Recommendations as to Statutory Regulation of Conditions in Shops.

283. Your Committee regard it as imperative that conditions in shops which affect the health and welfare of those who work there should be brought under statutory control. Having regard to the bad conditions which exist in many places, and the lack of powers to deal with them, the present statutory position must be looked upon as most unsatisfactory.

284. The only statutory provisions at present dealing with the matter are :—

(i) Section 3 of the Shops Act, 1912, which makes compulsory the provision of seats for female assistants. As has been pointed out, the assistants are usually discouraged from using these seats, and in an appreciable number of shops they are not provided at all.

(ii) The provisions of the Public Health Acts which give an inspector the right of entry into a workplace which is badly ventilated, overcrowded or not kept in a cleanly state. The official view is that a shop is a workplace, though this has not been confirmed by any judicial decision. In places where the adoptive parts of the Public Health Acts Amendment Act, 1890, have been adopted, shops in which assistants are employed must be provided with suitable and sufficient sanitary conveniences. Inspectors have, however, no right of entry merely to satisfy themselves that conditions are good.

(iii) The provisions of the Factory and Workshop Acts apply to those parts of shops used as workshops, and factory and workshop inspectors have the right of entry to such workshops. The anomalous position thus arises that in many shops, one part is subject to inspection and regulation, and another is not.

285. Your Committee have come to the conclusion that the most suitable and convenient method of dealing with the problem is to remove this anomaly. They accordingly recommend that provisions similar to those contained in Part I of the Factory and Workshop Act, 1901 (so far as they deal with conditions relating to health and welfare), but of a more general and less detailed character, should be extended to all shops and warehouses. The right of entry for purposes of inspection and regulation should be dealt with on the lines of Section 119 (Powers of Inspectors) of the same Act.

286. In recommending this extension, Your Committee concur with the views expressed by Dr. W. M. Willoughby, Medical Officer of Health to the Corporation of London, that the application to shops of many of the detailed Orders made under the Act of 1901 would be undesirable. These views were supported by Mr. W. H. Coles, of the Home Office, who also stressed the difference between shops and factories, and considered that statutory requirements as to conditions in shops should be of a general nature. Your Committee are of opinion that it is enough to require that the heating, lighting, ventilation, sanitation, washing accommodation, and other amenities in a shop should be "suitable and sufficient," having regard to the nature of each individual shop.

287. The application to conditions in shops of the rigidity and uniformity which are rightly demanded of conditions in factories and workshops is neither possible nor desirable. Possibilities of improvement in shops depend in many cases on structural conditions, which vary as between one shop and another, and which are often not capable of much alteration. Even if the changes which would be required by the Orders under the Act of 1901 were possible, they would impose an unreasonable expense on the proprietors of small establishments.

288. The chief necessity is to provide powers of entry and inspection of all shops and warehouses. It is only in this way that such difficult problems as the provision of sanitary arrangements for small shops can be solved. Nearly all these defective conditions are remediable; by means of inspection they can be discovered, and by recommendations of experienced inspectors there is no doubt that suitable and sufficient improvements can be effected. Dr. Willoughby said he was convinced that 85 per cent. of the difficulties could be overcome simply by giving powers of entry and inspection. "You can transform a shop," he said, "from the class which is referred to as 'bad' into a first-class shop, simply on inspection."

Willoughby,
1559.

289. Your Committee recommend that the actual inspection should be carried out by the inspectors at present responsible for enforcing the provisions of the Shops Acts, appointed by the local authorities, and that any necessary additions should be made to their numbers.

290. Your Committee also recommend that an investigation should be undertaken by the Ministry of Health into the extent to which it is possible to instal heating apparatus in shops where perishable goods are sold. Your Committee have not heard sufficient evidence on this matter to enable them to come to any conclusions, and they are strongly of opinion that this important problem requires investigation by scientific and technical experts.

XIII.

Local and National Advisory Boards.

291. Your Committee have been impressed by the absence of organisation amongst the workers in the distributive trades of the country and their lack of any sense of association in a common industry. They think that the absence of organisation, and consequent inability to speak with a collective voice in matters affecting conditions of employment, is unfortunate. For example, it prevents any general improvement being effected by agreement and is likely to lead to frequent recourse to Parliament for the settlement of questions which, with close co-operation, might well be settled within the industry. For these reasons Your Committee would like very much to see some machinery set up which would bring employers and employed into closer touch with each other and promote the joint discussion and settlement of questions affecting their mutual interests.

292. Your Committee therefore recommend that:—

- (1) Each local authority responsible for the administration of the Shops Acts should take steps to appoint a Local Advisory Board consisting of equal numbers of representatives of employers and employed under a chairman appointed

by the local authority. Where local employers' associations and Trade Unions representing distributive workers are in existence, the local authority should consult them when setting up the Board, which should, as far as practicable, be representative of the main branches of the distributive trades.

(2) The duties of Local Advisory Boards should be to make recommendations to local authorities on all matters connected with the administration of present and future Acts of Parliament affecting shops and shop assistants, or upon any matters of a local character affecting the distributive trades; provided that no determination of wage rates shall be within the province of Local Boards and that no action of a Local Board shall prejudicially affect any agreement between Trade Unions and employers. Where, after discussion and negotiation between representatives of employers and employed on the Local Advisory Board, it is agreed that overtime in excess of the normal working week may be permitted for certain trades, the Local Authority may proceed provisionally to fix such hours by Local Order, but no Order may become operative until it has been approved by the National Advisory Board, who shall not unreasonably withhold their consent, and by the Home Secretary, or the Secretary of State for Scotland.

(3) The Home Secretary, and the Secretary of State for Scotland, should take steps to set up a National Advisory Board in each country, consisting of equal numbers of employers and employed. Local Advisory Boards should have power to suggest members for appointment by the Secretary of State, and the Secretary of State should have power to appoint in addition a chairman and a limited number of other persons who have special knowledge of the distributive trades.

(4) The duties of the National Advisory Boards should be :—

(i) To advise and make recommendations to the Home Secretary, or the Secretary of State for Scotland, on any matters connected with the administration of the Shops Acts, or affecting shops or shop assistants, and any matters referred to them by Local Advisory Boards;

Provided that no determination of wage rates shall be within the province of the National Advisory Board :

(ii) To endeavour to promote uniformity of conditions, so far as may be practicable, in areas of similar type :

(iii) To advise the Home Secretary, or the Secretary of State for Scotland, on provisional Orders of local authorities in all cases where there is disagreement between the local representatives of employers and employed.

XIV.

General Summary of Recommendations.

293. The following is a general summary of the recommendations of Your Committee :—

(i) The term “ shop assistant ”, in any legislation arising out of these recommendations, should be defined as “ any person wholly or mainly employed in connection with any shop for the serving of customers or the receipt of orders, or the collection, despatch or delivery of goods, or in any clerical capacity ”.

(ii) The following should be exempted from any such legislation :—

(a) Employees in hotels and boarding houses, other than those covered by the provisions of the Shops Acts, 1912 to 1928.

(b) Employees of wholesale market traders.

(c) Persons employed wholly or mainly in canvassing for orders or collecting payments.

(iii) The term “ hours of employment ”, in any legislation arising out of these recommendations, should be defined as the time during which the employee is at the disposal of the employer, excluding the statutory intervals for meals.

(iv) The normal hours of employment of all shop assistants, with the above exceptions, should be limited to 48 per week.

(v) In trades where there is a reasonable demand for hours in excess of 48 per week, a fixed amount of overtime should be allowed throughout the trade.

(vi) Overtime should be paid for at a rate not less than one and a quarter times the rate for normal hours of employment.

(vii) The primary decision as to the trades in which overtime should be allowed, and its amount, should be placed in the hands of the Local and National Advisory Boards referred to below. Failing agreement on the matter before the Local Advisory Board, any separate section of the distributive trades should be entitled to appeal to the National Advisory Board for the fixing of the appropriate maximum amount of overtime, both per day and over whatever longer period of time might seem desirable. The National Advisory Board should then make a recommendation to the Secretary of State.

(viii) Local authorities should, following an agreement before the Local Advisory Board as to the granting of overtime to any trade, make a provisional Order fixing the hours of overtime decided upon, such Order becoming operative when

approved by the National Advisory Board and the Secretary of State.

(ix) Each local authority responsible for the administration of the Shops Act should appoint a Local Advisory Board consisting of equal numbers of representatives of employers and employed, under a chairman appointed by the local authority. Where local employers' associations and Trade Unions representing distributive workers are in existence, the local authority should consult them when setting up the Board.

(x) The duties of Local Advisory Boards should be to make recommendations to local authorities on all matters connected with the administration of Shops legislation, or upon any matters of a local character affecting the distributive trades.

(xi) The Home Secretary and the Secretary of State for Scotland should set up a National Advisory Board in each country, consisting of equal numbers of employers and employed. Local Advisory Boards should have power to suggest members for appointment to the National Board by the Secretary of State, and the Secretary of State should have power to appoint in addition a chairman and a limited number of other persons who have special knowledge of the distributive trades.

(xii) The duties of the National Advisory Boards should be :—

(a) To advise and make recommendations to the Secretary of State on any matters connected with the administration of the Shops Acts, or affecting shops or shop assistants, and any matters referred to them by Local Advisory Boards;

(b) To endeavour to promote uniformity of conditions, so far as may be practicable, in areas of similar type;

(c) To advise the Secretary of State on provisional Orders of local authorities in all cases where there is disagreement between the local representatives of employers and employed.

(xiii) Provisions similar to those contained in Part I of the Factory and Workshop Act, 1901, so far as they deal with conditions relating to health and welfare, and in Section 119 (Powers of Inspectors) of the same Act, should be extended to shops and warehouses, so as to secure for shop assistants similar conditions to those prescribed by the Factory and Workshop Act in respect of sanitary accommodation, heating, ventilation and lighting, and so as to give Shops Inspectors powers of entry for inspection and regulation.

(xiv) Notices should be posted in every shop setting forth the law with regard to the provision of seats for the assistants, and also stating that the assistants are intended to use them whenever possible. These notices should also specify the other provisions of the law relating to health and welfare.

(xv) The enforcement of all the above provisions should be in the hands of the present inspectorate under the Shops Acts.

(xvi) An investigation should be made by the Ministry of Health into the possibility of installing adequate heating apparatus in shops where perishable goods are sold.

(xvii) The Secretary of State for Home Affairs and the Secretary of State for Scotland should be specifically entrusted, by statute, with the general supervision of all the provisions of Shops legislation.

294. With two important exceptions, these are the unanimous recommendations of Your Committee. The exceptions are the recommendations (i) that the normal hours of employment of all shop assistants should be limited to 48 per week, and (ii) that overtime should be paid for at a rate not less than one and a quarter times the rate for normal hours of employment, which are the views of six out of the eleven members of Your Committee. As stated in Paragraph 208 of this Report, Your Committee are unanimously in favour of a limitation of the normal hours of employment of young persons employed as shop assistants to 48 per week.

295. The views of the five members who disagree to the advisability of a 48-hour week for shop assistants are as follows:—

(i) That interference by the legislature with the general conduct and conditions of trade or industry, necessarily involving a certain rigidity inimical to the healthy play of competition and to enterprise and initiative, cannot be justified, unless it can be shown that evils exist which are incapable of amelioration by any other means and that there does not exist any reasonable hope of a remedy either through the machinery of collective bargaining or direct negotiation with individual employers. No satisfactory proof of this has been produced during the course of the enquiry, and indeed such evidence as has been given regarding the enormous improvement brought about by these methods within modern times has led the five members to the conclusion that voluntary methods are entirely adequate to deal with such abuses as may exist;

(ii) That it is furthermore in the highest degree undesirable to single out distributive trades for special legislation involving the statutory limitation of hours unless such legislation is

general in character and applicable to all other trades and industries;

(iii) That it would be especially disadvantageous in the present depressed trade conditions if legislation for a rigid 48-hour week were to be enacted which would necessarily deprive a large proportion of shopkeepers of that margin of elasticity which is indispensable to them in carrying on their businesses;

(iv) That the enforcement of a 48-hour week would be extremely difficult and would involve a large increase in personnel and necessary inspection costs, and that such increase of expenditure could not be justified in the present financial stringency of the nation.

XV.

Concurrent Recommendations.

296. Although the subject of early closing does not come within their Order of Reference, Your Committee feel obliged to insist strongly on the need for strict enforcement of the Acts relating to it, in the interests of shop assistants. Stricter enforcement is specially needed in respect of the statutory meal times and half-holiday regulations.

297. Your Committee believe, moreover, that the time has come for a still further limitation of the hours during which shops may be open, and they would like to see the Shops Act, 1912, amended so as to enable local authorities to make Closing Orders for an earlier hour than 7 p.m.

298. Your Committee support the movement for the enforced Sunday closing of shops.

299. Your Committee consider that a stricter statutory regulation of street trading is necessary.

300. Legislation for special groups of workers, such as juveniles, errand boys, girls, etc., is in some cases desirable, and need not conflict with any of the recommendations of Your Committee. The same applies to local bye-laws.

301. Your Committee wish to point out that they do not regard the above concurrent recommendations as in any way superseding the need for a general limitation of the hours of shop assistants, or as in any way inconsistent with it.

302. Your Committee wish to express their deep appreciation of the valuable work done by the officers of the Home Office and Ministry of Labour who, during the summer of 1930, carried out investigations into hours and conditions of employment in shops, the results of which have provided very important material for this Report. They also wish to express their thanks to Mr. W. H.

Coles, of the Home Office, for the great help he has given them in their enquiry, especially in connection with these investigations.

303. In conclusion, Your Committee desire to acknowledge their indebtedness to their Clerk, Mr. B. St. G. Drennan, whose ability in the performance of his duties, both in connection with the draft of the Report and otherwise, has been of very great assistance to them.

PROCEEDINGS OF THE COMMITTEE.

Wednesday, 26th November, 1930.

Members Present:

Major Braithwaite.	Mr. Philip Oliver.
Mr. Buxton.	Mr. James Stewart.
Mr. Rhys Davies.	Mr. Arthur Taylor.
Lieutenant-Colonel Gault.	Mr. Womersley.
Mr. William Hirst.	

Mr. BUXTON was called to the Chair.

The Committee deliberated.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 3rd December, 1930.

Members Present:

Major Braithwaite.	Mr. Philip Oliver.
Lieutenant-Colonel Gault.	Mr. James Stewart.
Mr. William Hirst.	Mr. Arthur Taylor.
Sir Alfred Law.	Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. James Walker Clark, C.B.E., and Mr. Patrick Howling, representing the National Chamber of Trade, were examined.

The Committee further deliberated.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 10th December, 1930.

Members Present:

Mr. Rhys Davies.	Mr. Philip Oliver.
Lieutenant-Colonel Gault.	Sir Gervais Rentoul.
Mr. William Hirst.	Mr. Arthur Taylor.
Sir Alfred Law.	Mr. Womersley.

Mr. BUXTON in the Chair.

Mr. G. A. Foan, Superintendent of the Hairdressers' Parliamentary Committee, and Mr. Solomon Stephens, representing the National Association of Master Bakers, Confectioners and Caterers, were examined.

The Committee deliberated.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 17th December, 1930.

Members Present:

Major Braithwaite.	Mr. William Hirst.
Mr. Rhys Davies.	Mr. Arthur Taylor.
Lieutenant-Colonel Gault.	Mr. Womersley.

Mr. BUXTON in the Chair.

Mr. Alexander MacLaren and Mr. Harold Speddings, representing the National Federation of Retail Newsagents, Booksellers and Stationers, and Mr. T. B. Ball and Captain J. Russell Pickering, M.B.E., representing the London and Suburban Traders' Federation, were examined.

[Adjourned till Wednesday, 21st January, at 11 o'clock.

Wednesday, 21st January, 1931.

Members Present:

Mr. Rhys Davies.	Mr. Arthur Taylor.
Lieutenant-Colonel Gault.	Mr. Womersley.
Mr. William Hirst.	

Mr. BUXTON in the Chair.

Mr. F. Jones, Labour Adviser to the Co-operative Union, Ltd., Mr. H. Carter, head of the Wages and Staff Department of the Co-operative Wholesale Society, Ltd., and Mr. R. A. Howson, Acting Secretary of the Parliamentary Committee of the Co-operative Congress, were examined.

[Adjourned till Wednesday next, at 11 o'clock.

Wednesday, 28th January, 1931.

Members Present:

Lieutenant-Colonel Gault.	Mr. Arthur Taylor.
Mr. Philip Oliver.	Mr. Womersley.
Mr. James Stewart.	

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. E. W. Collett and Captain J. Russell Pickering, M.B.E., representing the National Association of Outfitters, and Mr. W. Barlow and Mr. F. E. Sprackling, representing the Incorporated National Federation of Boot Trades Associations, were examined.

[Adjourned till Wednesday next, at 11 o'clock.

Wednesday, 4th February, 1931.

Members Present:

Mr. Rhys Davies.		Sir Gervais Rentoul.
Lieutenant-Colonel Gault.		Mr. James Stewart.
Mr. William Hirst.		Mr. Arthur Taylor.
Mr. Philip Oliver.		Mr. Womersley.

Mr. BUXTON in the Chair.

Mr. D. Cairns and Mr. A. C. Melliush, representing the National Federation of Meat Traders' Associations, and Mr. G. A. Mallinson and Mr. H. H. Marshall, representing the Retail Pharmacists' Union, were examined.

[Adjourned till Friday at 11 o'clock.

Friday, 6th February, 1931.

Members Present:

Mr. Rhys Davies.		Mr. Arthur Taylor.
Lieutenant-Colonel Gault.		Mr. Womersley.
Mr. William Hirst.		

Mr. BUXTON in the Chair.

Dr. W. M. Willoughby, Medical Officer of Health to the Corporation of London, was examined.
The Committee deliberated.

[Adjourned till Wednesday next, at 11 o'clock.

Wednesday, 11th February, 1931.

Members Present:

Major Braithwaite.		Mr. James Stewart.
Mr. Rhys Davies.		Mr. Arthur Taylor.
Lieutenant-Colonel Gault.		Mr. Womersley.
Sir Gervais Rentoul.		

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. J. T. Clark, representing the Federation of Grocers' Associations, was examined.

Mr. George Reeves-Smith and Mr. Arthur E. Towle, C.B.E., representing the Hotels and Restaurants Association of Great Britain, were examined.
Room cleared.

The Committee deliberated.

Mr. George Reeves-Smith and Mr. Arthur E. Towle, C.B.E., were re-called and further examined.

[Adjourned till Friday, at half-past 10 o'clock.

Friday, 13th February, 1931.

Members Present:

Mr. Rhys Davies.
Mr. William Hirst.
Mr. Philip Oliver.

Mr. James Stewart.
Mr. Arthur Taylor.

Mr. BUXTON in the Chair.

The Committee deliberated.

Miss Eleanor T. Kelly, Head of St. Margaret's House, Bethnal Green, Mr. W. E. Radcliffe and Mr. H. B. Smith, were examined.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 18th February, 1931.

Members Present:

Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.
Mr. Philip Oliver.

Mr. James Stewart.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. E. G. Greenwell, Honorary Secretary of the Association of Juvenile Employment and Welfare Officers (England and Wales), and Mr. J. Thomson and Mr. T. Baxter, representing the Scottish Federation of Grocers' and Provision Merchants' Associations, were examined.

[Adjourned till Friday, at half-past 10 o'clock.]

Friday, 20th February, 1931.

Members Present:

Mr. William Hirst.
Mr. Philip Oliver.

Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. Kenneth Thomas, representing the United Kingdom Association of Multiple Shop Proprietors (Grocery and Provisions), and Mr. E. A. Cross, M.B.E., representing the National Federation of Credit Traders, were examined.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 25th February, 1931.

Members Present:

Lieutenant-Colonel Gault.		Mr. Arthur Taylor.
Mr. James Stewart.		Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. William McKim and Mr. George Robertson, representing the Scottish Licensed Trade Defence Association, and Mr. Henry Frank and Mr. W. Norman Bubb, representing the Wholesale Tobacco Trade Association, were examined.

[Adjourned till Friday, at half-past 10 o'clock.]

Friday, 27th February, 1931.

Members Present:

Mr. Rhys Davies.		Mr. Philip Oliver.
Lieutenant-Colonel Gault.		Sir Gervais Rentoul.
Mr. William Hirst.		Mr. Arthur Taylor.
Sir Alfred Law.		Mr. Womersley.

Mr. BUXTON in the Chair.

Miss M. E. King, O.B.E., representing the Committee on Wage-Earning Children, and Mr. John Tait, Mr. J. T. Robertson and Mr. D. L. Addison Smith, representing the Edinburgh Master Butchers' Association, were examined.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 4th March, 1931.

Members Present:

Mr. Rhys Davies.		Mr. James Stewart.
Lieutenant-Colonel Gault.		Mr. Arthur Taylor.
Mr. William Hirst.		Mr. Womersley.
Mr. Philip Oliver.		

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. "A" and Mr. "B" were examined in private.

Mr. Edgar Hunt, General Secretary of the National Market Traders' Federation, was examined.

[Adjourned till Friday, at half-past 10 o'clock.]

Friday, 6th March, 1931.

Members Present:

Mr. Rhys Davies.	Mr. Arthur Taylor.
Lieutenant-Colonel Gault.	Mr. Womersley.
Mr. William Hirst.	

Mr. BUXTON in the Chair.

The Committee deliberated.

Miss J. E. McOrindell, a member of the staff of the University of Liverpool's Social Survey of Merseyside, was examined.

Miss "O" and Mr. "D" were examined in private.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 11th March, 1931.

Members Present:

Mr. Rhys Davies.	Mr. James Stewart.
Lieutenant-Colonel Gault.	Mr. Arthur Taylor.
Mr. William Hirst.	Mr. Womersley.
Mr. Philip Oliver.	

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. G. H. V. Rose, General Secretary of the Hairdressers' Assistants' National Craft Association, and Mr. Walter Payne, O.B.E., President of the Society of West End Theatre Managers, were examined.

The Committee further deliberated.

[Adjourned till Friday, at 11 o'clock.]

Friday, 13th March, 1931.

Members Present:

Mr. Rhys Davies.	Mr. Arthur Taylor.
Lieutenant-Colonel Gault.	

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. Charles Jarvis, representing the Wholesale Textile Association, and Mr. F. W. Isard, representing the Provincial Wholesale Grocers' Association, were examined.

[Adjourned till Wednesday next, at 11 o'clock]

Wednesday, 18th March, 1931.

Members Present:

Mr. Rhys Davies.	Sir Gervais Rentoul.
Lieutenant-Colonel Gault.	Mr. Arthur Taylor.
Mr. William Hirst.	

Mr. BUXTON in the Chair.

The Chairman expressed profound regret at the death of Mr. James Stewart, and the Members of the Committee unanimously concurred.

The Committee deliberated.

Mr. Herbert Kay, of the London Employers' Association, and Mr. H. W. Frobell, a public house employee, were examined.

Mr. "E" was examined in private.

[Adjourned till Friday, at half-past 10 o'clock.

Friday, 20th March, 1931.

Members Present:

Mr. Rhys Davies.	Mr. Arthur Taylor.
Lieutenant-Colonel Gault.	Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. A. J. Gillian, representing the National Union of Drug and Chemical Workers, Mr. Ernest Farrington, representing the National Federation of Fruit and Potato Trades Associations, and Mr. B. J. Monro, of the London Fruit, Flower and Vegetable Markets Association, were examined.

[Adjourned till Wednesday next, at 11 o'clock.

Wednesday, 25th March, 1931.

Members Present:

Major Braithwaite.	Mr. Philip Oliver.
Mr. Rhys Davies.	Mr. Arthur Taylor.
Mr. William Hirst.	Mr. Womersley.
Mrs. Manning.	

Mr. BUXTON in the Chair.

Mr. W. H. Coles, D.S.O., of the Home Office, was examined.

Captain Albert Larking, C.B.E., representing the Early Closing Association, and Mr. W. R. Harraway, representing the National Union of Retail Confectioners (Sweets and Chocolates), were examined.

[Adjourned till Wednesday, 15th April, at 11 o'clock.

Wednesday, 15th April, 1931.

Members Present:

Mrs. Manning.
Mr. Philip Oliver.

Mr. Arthur Taylor.

Mr. BUXTON in the Chair.

Mr. W. H. Coles, D.S.O., was re-called and further examined.

[Adjourned till Friday, at half-past 10 o'clock.

Friday, 17th April, 1931.

Members Present:

Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.

Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

Mr. J. R. Leslie, General Secretary of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks, was examined.

[Adjourned till Wednesday next, at 11 o'clock.

Wednesday, 22nd April, 1931.

Members Present:

Mr. Rhys Davies.
Mrs. Manning.

Mr. Arthur Taylor.

Mr. BUXTON in the Chair.

Mr. Frank Travers, representing the Primary Wholesale Grocers' Committee, was examined.

[Adjourned till Wednesday next, at 11 o'clock.

Wednesday, 29th April, 1931.

Members Present:

Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.
Sir Alfred Law.
Mrs. Manning.

Mr. Philip Oliver.
Sir Gervais Rentoul.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

[Adjourned till Wednesday, 20th May, at 11 o'clock

Wednesday, 20th May, 1931.

Members Present:

Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.
Mrs. Manning.

Mr. Philip Oliver.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

Draft Report, proposed by the Chairman, brought up and read the first time.

[Adjourned till Wednesday, 17th June, at 11 o'clock.

Wednesday, 17th June, 1931.

Members Present:

Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.

Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

The Committee deliberated.

[Adjourned till Wednesday, 1st July, at 11 o'clock.

Wednesday, 1st July, 1931.

Members Present:

Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.

Sir Alfred Law.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Mr. BUXTON in the Chair.

Resolved, That the Draft Report, proposed by the Chairman, be read a second time, paragraph by paragraph.

[Adjourned till Wednesday next, at 11 o'clock.

Wednesday, 8th July, 1931.

Members Present:

Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.

Mr. Philip Oliver.
Sir Gervais Rentoul.
Mr. Arthur Taylor.

Mr. BUXTON in the Chair.

Draft Report further considered.

Paragraphs 1-16, agreed to.

Paragraph 17, amended and agreed to.

Paragraphs 18-24, agreed to.

Paragraph 25, amended and agreed to.

Paragraphs 26-32, agreed to.

Paragraph 33 read a second time as follows:—

33. The two salient facts which emerge from this survey of the history of Shop Legislation are:—

(1) The backwardness of successive Governments in attempting to regulate hours and conditions of employment in shops, even when the great majority of those concerned are in favour of a change.

(2) The unfavourable position which workers in shops consequently occupy, as compared with workers in factories and workshops.

Amendment proposed, to leave out from the word "even" in line 4, to the word "in" in line 5, and insert the words "though Parliament by Resolution had shown itself."—(Mr. Philip Oliver.)

Question, "That the words proposed to be left out stand part of the paragraph," put and negatived.

Question put, "That those words be there inserted."

The Committee divided: Ayes, 4; Noes, 3.

Ayes.
Mr. Rhys Davies.
Mr. William Hirst.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Gervais Rentoul.

Further consideration of the paragraph, so far as amended, postponed.

Paragraph 34, postponed.

Paragraphs 35 and 36, amended and agreed to.

Paragraphs 37-59, agreed to.

Paragraph 60, amended and agreed to.

Paragraphs 61-68, agreed to.

Paragraphs 69 and 70, amended and agreed to.

Paragraph 71 read a second time as follows:—

71. Your Committee believe that the definition given in the Bill of 1929 is, on the whole, the most practicable. They are, however, in favour of the exclusion of the following persons from the scope of their recommendations as to the limitation of hours of labour:—

- (a) Transport workers whose hours are limited by Section 19 of the Road Traffic Act, 1930.
- (b) Employees in places of entertainment.
- (c) Employees in hotels.
- (d) Employees of wholesale market traders.
- (e) Persons employed wholly or mainly in canvassing for orders or collecting payments.
- (f) Persons employed in a confidential capacity.

An Amendment made.

Another Amendment proposed, to leave out lines 5 and 6.—(*Mr. Rhys Davies.*)

Question, "That the words proposed to be left out stand part of the paragraph," put and negatived.

Another Amendment proposed, to leave out line 7.—(*Mr. Philip Oliver.*)

Question put, "That the words proposed to be left out stand part of the paragraph."

The Committee divided: Ayes, 4; Noes, 4.

Ayes.	Noes.
Major Braithwaite.	Mr. Rhys Davies.
Lieutenant-Colonel Gault.	Mr. William Hirst.
Sir Alfred Law.	Mr. Philip Oliver.
Sir Gervais Rentoul.	Mr. Arthur Taylor.

Whereupon the Chairman declared himself with the Noes.

Other Amendments made.

Another Amendment proposed, to leave out line 12.—(*Mr. Rhys Davies.*)

Question put, "That the words proposed to be left out stand part of the paragraph."

The Committee divided: Ayes, 4; Noes, 4.

Ayes.	Noes.
Major Braithwaite.	Mr. Rhys Davies.
Lieutenant-Colonel Gault.	Mr. William Hirst.
Sir Alfred Law.	Mr. Philip Oliver.
Sir Gervais Rentoul.	Mr. Arthur Taylor.

Whereupon the Chairman declared himself with the Noes.
Paragraph, as amended, agreed to.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 15th July, 1931.

Members Present:

Major Braithwaite.	Mrs. Manning.
Mr. Rhys Davies.	Mr. Philip Oliver.
Lieutenant-Colonel Gault.	Sir Gervais Rentoul.
Mr. William Hirst.	Mr. Arthur Taylor.
Sir Alfred Law.	Mr. Womersley.

Mr. BUXTON in the Chair

Draft Report further considered.

Postponed paragraph 33, as amended, further considered.

Question, "That the paragraph, as amended, stand part of the Report," put and negatived.

A paragraph brought up, and read the first time as follows:—

“The two salient facts which emerge from this survey of the history of Shop Legislation are:—

(1) That successive Government have tended to carry out other parts of their programmes at the expense of Shop Legislation, even when the House of Commons, by Resolution or otherwise, had shown itself in favour of a change.

(2) That the legislation protecting the position of shop assistants is considerably less in scope than the legislation protecting the position of workers in factories or workshops.”—(*The Chairman.*)

Paragraph read a second time, and inserted in the Report after paragraph 32.

Postponed paragraph 34, amended and agreed to.

A paragraph brought up, read the first and second time, amended, and inserted in the Report after paragraph 71.

Paragraphs 72 and 73, agreed to.

Paragraph 74 read a second time as follows:—

74. Your Committee were able, however, to hear the evidence of eight individual witnesses at present serving in shops, or having recently done so. The difficulty of obtaining evidence from shop assistants must be realised. The Y.W.C.A., which carried out an investigation into the hours and conditions of employment of shop assistants all over the country, stated in their Report that “a fact that was made particularly clear during the investigation was the reluctance shown by many of the shop assistants to give information for fear of losing their posts.” Mr. J. R. Leslie, General Secretary of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks, also spoke in his evidence of the “natural reluctance on the part of assistants to reveal the conditions under which they were working, in case it might lead to their dismissal.”

Amendment proposed, at end, to add the words “but no direct evidence was submitted in support of these statements.”—(*Sir Gervais Rentoul.*)

Question put, “That those words be there added.”

The Committee divided: Ayes, 5; Noes, 4.

Ayes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Noes.
Mr. Rhys Davies.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Paragraph, as amended, agreed to.
Paragraphs 75-82, agreed to.
Paragraph 83, amended and agreed to.
Paragraphs 84-110, agreed to.
Paragraph 111, amended and agreed to.
Paragraph 112, postponed.
Paragraphs 113-125, agreed to.
Paragraph 126, disagreed to.
Paragraph 127, amended and agreed to.
Paragraphs 128 and 129, agreed to.
Paragraph 130, amended and agreed to.
Paragraphs 131-156, agreed to.

Paragraphs 157 and 158, amended and agreed to.
 Paragraphs 159 and 160, agreed to.
 Paragraph 161, amended and agreed to.
 Paragraphs 162 and 163, agreed to.
 Paragraph 164, disagreed to.
 Paragraph 165, postponed.

[Adjourned till Wednesday next, at 11 o'clock.]

Wednesday, 22nd July, 1931.

Members Present:

Major Braithwaite.	Sir Alfred Law.
Mr. Rhys Davies.	Mr. Philip Oliver.
Lieutenant-Colonel Gault.	Sir Gervais Rentoul.
Mr. William Hirst.	Mr. Arthur Taylor.

Mr. BUXTON in the Chair.

Draft Report further considered.
 Postponed paragraph 112, amended and agreed to.
 Postponed paragraph 165, disagreed to.
 A paragraph brought up, and read the first and second time, and inserted in the Report after paragraph 163.
 Paragraphs 166 and 167, amended and agreed to.
 Paragraphs 168-175, agreed to.
 Paragraph 176, disagreed to.
 Paragraphs 177-180, amended and agreed to.
 Paragraph 181, agreed to.
 Paragraph 182, disagreed to.
 Paragraph 183, amended and agreed to.
 Paragraphs 184-186, agreed to.
 Paragraph 187, disagreed to.
 Paragraphs 188-190, amended and agreed to.
 Paragraphs 191-193, disagreed to.

[Adjourned till Friday, at half-past 10 o'clock.]

Friday, 24th July, 1931.

Members Present:

Major Braithwaite.	Mr. Philip Oliver.
Mr. Rhys Davies.	Sir Gervais Rentoul.
Lieutenant-Colonel Gault.	Mr. Arthur Taylor.
Sir Alfred Law.	Mr. Womersley.
Mrs. Manning.	

Mr. BUXTON in the Chair.

Draft Report further considered.
 Paragraph 194 read a second time as follows:—

194. Taking into account the evidence as to the present hours of work and the conclusions as to the probable economic effects of statutory limitation on the basis of a 48-hour week, Your Committee are of opinion that the hours of work of all shop assistants, as defined in paragraphs 69 to 71 of this Report, should be limited by law. The question of the exact number of hours to be adopted, which is discussed later in this Report, will, for the moment, be left open.

Question put, "That the paragraph stand part of the Report."

The Committee divided: Ayes, 4; Noes, 4.

Ayes.
Mr. Rhys Davies.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Whereupon the Chairman declared himself with the Ayes.

Paragraph 195, agreed to.

Paragraph 196, disagreed to.

Paragraph 197, agreed to.

Paragraph 198 read a second time as follows:—

198. It is hardly too much to say that we are sacrificing the health, comfort and pleasure of many persons, not to any definite economic necessity, but to mere indifference or incapacity to organise. There can be no more deplorable waste of such a national asset as the health and happiness of a great number of citizens, the majority of whom are in the prime of life.

Question put, "That the paragraph stand part of the Report."

The Committee divided: Ayes, 4; Noes, 5.

Ayes.
Mr. Rhys Davies.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Paragraph 199, amended and agreed to.

Paragraph 200 read a second time as follows:—

200. There are some further considerations which point to the desirability of a legal limitation of the hours of work of shop assistants, and suggest that the difficulties alleged in such limitations are much exaggerated. These considerations are as follows:—

(a) Legal limitation will relieve those shops where reasonable hours are now worked from a great amount of unfair competition.

(b) The application of a legal limit of hours of work will be much facilitated by the allowance of overtime. (*See* Section VIII of this Report.)

(c) In the opinion of your Committee the legal limitation of hours of work will lead in time to earlier closing of shops. This subject will be dealt with later; but it may be said here that they feel strongly the necessity not only of a stricter enforcement of the existing Acts relating to early closing, but also to a still further limitation of the hours during which shops may be open.

Amendments made.

Question put, "That the paragraph, as amended, stand part of the Report."

The Committee divided: Ayes, 4; Noes, 5.

Ayes.
Mr. Rhys Davies.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Paragraph 201, amended and agreed to.

Paragraphs 202 and 203, agreed to.

Paragraph 204, amended and agreed to.

Paragraphs 205-208, agreed to.

Paragraph 209, amended and agreed to.

Paragraphs 210 and 211, agreed to.

A paragraph brought up and read the first time as follows:—

“ Your Committee have been very much disturbed to note the recent tendency which has appeared in the London area to extend shop hours in some of the large retail distributive stores. The owners of these establishments are apparently doing this with a view to increasing their trade. Your Committee have no hesitation, however, in pointing out from the evidence submitted to them that a shopkeeper in any neighbourhood is only able to increase his trade by the extension of shop hours provided his establishment is open during hours when the shops of his competitors are closed; after all, it is obvious that there is only so much trade available. This process, however, can only last until neighbouring shops extend their hours also, which must be only a matter of time. When, therefore, all the shops in the same neighbourhood are ultimately open for the same number of extended hours, the position of the shopkeeper who started the race cannot be better than when he began this downward tendency.”—(*Mr. Rhys Davies.*)

Motion made, and Question put, “ That the paragraph be read a second time.”

The Committee divided: Ayes, 4; Noes, 5.

Ayes.
Mr. Rhys Davies.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Paragraphs 212 and 213, agreed to.

Paragraph 214 read a second time as follows:—

214. Further, while Your Committee gladly recognise that the present relations are happy ones in a majority of cases, the number of complaints reported by organisations of employees, and of grievances of which the assistants are too timid to complain, mentioned by independent witnesses, such as welfare workers, prevents them from saying that these relations are so universally satisfactory as has been alleged by many employers. The fact that the legal department of the National Amalgamated Union of Shop Assistants, Warehousemen and Clerks had in 1930 no fewer than 1,039 legal cases, demonstrates that the relationship in many cases is unfortunately otherwise than friendly.

Amendment proposed, to leave out from the word “ employers ” in line 7 to the end of the paragraph.—(*Sir Gervais Rentoul.*)

Question put, “ That the words proposed to be left out stand part of the paragraph.”

The Committee divided: Ayes, 4; Noes, 5.

Ayes.
Mr. Rhys Davies.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Paragraph, as amended, agreed to.

Paragraph 215, agreed to.

Paragraph 216 read a second time as follows:—

216. Some employers specifically asked that if the hours of labour were limited, the hours of opening should be made to coincide with them, and on 22nd May, 1930, at the Annual Conference of the Early Closing Association, a resolution was passed "that any attempt to restrict by legislation the hours of labour of shop assistants must be in conformity with and concurrent to the compulsory closing hours of the premises." Your Committee are of opinion that a statutory limitation of working hours is the simplest method of dealing with the problem of long and excessive hours, and that such a limitation would in itself be a stimulus to the earlier closing of shops, which most shopkeepers desire.

Amendment proposed, to leave out from the word "premises" in line 7 to the end of the paragraph.—(*Sir Gervais Rentoul.*)

Question put, "That the words proposed to be left out stand part of the paragraph."

The Committee divided: Ayes, 4; Noes, 5.

Ayes.
Mr. Rhys Davies.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Another Amendment proposed, in line 7, at the end, to add the words "Your Committee are of opinion that if power were given to local authorities to make Closing Orders for an earlier hour than 7 o'clock, this would help towards the establishment of the above principle."—(*Mr. Womersley.*)

Question, "That those words be there added," put and agreed to.
Paragraph as amended, agreed to.

[Adjourned till Tuesday next, at 2 o'clock.

—
Tuesday, 28th July, 1931.
—

Members Present:

Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.
Sir Alfred Law.

Mrs. Manning.
Mr. Philip Oliver.
Sir Gervais Rentoul.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

Draft Report further considered.

Paragraph 217 read a second time as follows:—

217. The question of the number of hours which should constitute the normal weekly maximum must now be considered. A limit of 54 hours per week has been suggested by witnesses. Your Committee recommend that the normal hours of employment of shop assistants should be limited to 48 per week, exclusive of meal times, and that certain provisions, as set forth in Section VIII of this Report, should be made for overtime.

Amendment proposed, in line 6, after the word "provisions," to insert the words "as set out in paragraph ... of this Report should be made to

provide for excess hours in special cases, and that certain provisions."—
(*Mr. Philip Oliver.*)

Question put, "That those words be there inserted."

The Committee divided: Ayes 4; Noes, 5:

Ayes.
Mr. William Hirst.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.

Question put, "That the paragraph stand part of the Report."

The Committee divided: Ayes, 5; Noes, 4.

Ayes.
Mr. Rhys Davies.
Mr. William Hirst.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.

A paragraph brought up, and read the first and second time as follows:—

"Your Committee further recommend that in the case of young persons, no overtime should be permitted, and a lower limit to the working week than 48 hours might well be imposed."—(*Mr. Philip Oliver.*)

Amendment proposed to the proposed paragraph, in line 1, to leave out from the word "Committee" to the end of the proposed paragraph, and insert the words "have had examples of bad employment brought before their notice, especially in regard to juveniles and young persons, in consequence of which it is thought that legislation to safeguard such employees from being exploited and worked excessive hours by bad employers should be introduced."—(*Lieutenant-Colonel Gault.*)

Question put, "That the words proposed to be left out stand part of the proposed paragraph."

The Committee divided: Ayes, 5; Noes, 4.

Ayes.
Mr. Rhys Davies.
Mr. William Hirst.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Alfred Law.
Sir Gervais Rentoul.

Paragraph inserted in the Report after paragraph 217.

Paragraph 218, amended and agreed to.

A paragraph brought up and read the first time as follows:—

"It is clear from the evidence that circumstances vary in different localities, and in different classes of shops, and a certain amount of latitude may well be allowed to meet these varying circumstances. A typical instance is the delivery of goods in sparsely populated districts such as the remoter parts of Scotland. Another instance is the case of the dispensing chemist, who has certain obligations placed upon him by regulations under the National Health Insurance Acts, and whose assistants have to possess certain special qualifications. An examination of the evidence will reveal a number of other instances where the rigid application of a 48-hour week would no doubt cause

an amount of inconvenience not altogether justified by the benefits which would accrue. Your Committee are therefore of the opinion that it should be open to representatives of any class of shopkeepers or of shop assistants in the area of any local authority to apply to the Secretary of State for an Order exempting the shops of a particular class in that area from the operation of a 48-hour week and substituting therefor a maximum working week somewhat in excess of the statutory limit. The hearing and determination of such an application might be delegated to the Local Advisory Board, the constitution of which is recommended in paragraph ... of this Report and before becoming operative any Order based upon such application should be submitted to the National Advisory Board, whose constitution is also recommended in the same paragraph. It might be argued that as Your Committee recommend a general statutory limit of 48 hours, so also they should recommend a statutory maximum of excess hours. There is much to be said in favour of such a proposal, but there are also serious arguments against it. Such a statutory excess might easily come to be regarded as a standard, resulting in a higher excess being allowed, or at any rate claimed, than was absolutely requisite; whereas the whole justification of Your Committee's proposal is the fact that in certain classes of shops and localities circumstances are so varying that no standard can be readily laid down. On the whole, therefore, Your Committee prefer to leave the fixing of excess hours, where necessary, to the good sense of the Local Advisory Board, subject to the further check which would be imposed by the National Board."—

(*Mr. Philip Oliver.*)

Motion made and Question put, "That the paragraph be read a second time."

The Committee divided: Ayes, 3; Nces, 5.

Ayes.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Mr. Rhys Davies.
Mr. William Hirst.
Sir Alfred Law.
Sir Gervais Rentoul.
Mr. Womersley.

Paragraph 219, agreed to.

Paragraphs 220-222, amended and agreed to.

[Adjourned till Thursday, at 11 o'clock.

Thursday, 30th July, 1931.

Members Present:

Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.

Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

Draft Report further considered.

Paragraph 223 read a second time as follows:—

223. This overtime should be paid for at the rate of one and a quarter times the rate for normal hours of employment.

Amendments made.

Question put, "That the paragraph, as amended, stand part of the Report."

The Committee divided: Ayes, 3; Noe, 1.

Ayes.
Mr. Rhys Davies.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noe.
Lieutenant-Colonel Gault.

Paragraph 224, amended and agreed to.

Paragraph 225, disagreed to.

Paragraphs 226-235, agreed to.

Paragraph 236 read a second time as follows:—

236. The arguments are, broadly speaking, the same as those which have been urged by traders in the past against every limitation either of working hours or of trading hours. They do not appear to have been borne out by experience. They are matters of opinion, and numerous other witnesses expressed opposite opinions.

Amendment proposed, in line 3, to leave out from the word "hours" to the word "They" in line 4.—(*Major Braithwaite.*)

Question put, "That the words proposed to be left out stand part of the paragraph."

The Committee divided: Ayes, 4; Noes, 2.

Ayes.
Mr. Rhys Davies.
Mr. William Hirst.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.

Paragraph agreed to.

Paragraph 237 read a second time as follows:—

237. Your Committee have come to the conclusion, after considering all these difficulties, that the organisation of work in shops could be adapted, without serious difficulty, to the restricted hours above proposed for the individual shop assistant, with a fixed amount of overtime. It is obvious that no sudden and immediate application of the new regulations would be demanded, and that a period would be allowed for adjustment. Given sufficient time to adapt their arrangements, the special circumstances which the various trades have to face could be met by one or other of the methods which have already been adopted by the Co-operative Movement, and by many out of the great number of shops in which the weekly hours of opening do not now exceed the 48-hour total, plus the hours allowed for meals. It must also be remembered that the recommendations of Your Committee with regard to overtime (see above) have a most important bearing on this question.

Question put, "That the paragraph stand part of the Report."

The Committee divided: Ayes, 5; Noes, 2.

Ayes.
Mr. Rhys Davies.
Mr. William Hirst.
Mrs. Manning.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.
Major Braithwaite.
Lieutenant-Colonel Gault.

Paragraph 238, amended and agreed to.

[Adjourned *sine die*.

Tuesday, 15th September, 1931.

Members Present:

Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. Philip Oliver.

Sir Gervais Rentoul.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

Draft Report further considered.

Paragraph 239, agreed to.

Paragraph 240, amended and agreed to.

Paragraphs 241 and 242, agreed to.

Paragraph 243, amended and agreed to.

Paragraphs 244 and 245, agreed to.

Paragraphs 246 and 247, amended and agreed to.

Paragraph 248, agreed to.

Paragraph 249, amended and agreed to.

Paragraphs 250 and 251, agreed to.

A paragraph brought up, read the first and second time, and inserted in the Report after paragraph 251.

Paragraphs 252 and 253, agreed to.

Paragraph 254, amended and agreed to.

Paragraphs 255 and 256, agreed to.

Paragraph 257, amended and agreed to.

Paragraph 258, agreed to.

Paragraph 259, amended and agreed to.

A paragraph brought up, read the first and second time, and inserted in the Report after paragraph 259.

Paragraph 260, disagreed to.

Paragraphs 261 and 262, amended and agreed to.

Paragraph 263, agreed to.

Paragraph 264 read a second time as follows:—

264. As will be seen from the above evidence, there are no general "occupational diseases" of shop life, as there are in many branches of factory work. (The only evidence of connection between a particular disease and a particular form of work in shops came from the representative of the Boot and Shoe Repairing Trade Board, who stated that 50 per cent. of the persons who work at boot-repairing die of tuberculosis owing to the dirty and dusty nature of their work.) There is, on the other hand, a large amount of unnecessary ill-health and lowered vitality, leading to a depressed standard of physical well-being, and inability to get the best out of life, amongst a large section of the population. The girls in small shops, we were told, are very tired after their day's work, and are disinclined to take part in social or club life in the evenings. One shop assistant, who looked fairly strong, said that after long hours in a confectioner's shop she was so tired that she had supper and went straight to bed. A welfare worker said that she did not think it could be necessary to ruin children's health, by making them work overtime, in the way she had seen it done year after year. The same witness spoke of the poor health and depressed outlook on life of workers employed for years in basements, and the long hours of overtime worked by them. She also said that it was her experience that after a "rush season," when much overtime was worked, the assistants were worn out and had no interest in anything, and the whole department would succumb to an epidemic of influenza. The representative of the Shop Assistants' Union, referring to the lack of heating in many shops, said that after the very cold weather of February, 1929, the number of sickness claims beat all

records. The natural corollary to all this evidence was supplied by a witness who said that when the assistants had a chance to play games they came back to work with added energy, whereas the others were "as dead as doornails."

Amendment proposed, to leave out from the word "population" in line 10, to the word "A" in line 15.—(*Sir Gervais Rentoul.*)

Question put, "That the words proposed to be left out stand part of the paragraph."

The Committee divided: Ayes, 3; Noes, 4.

Ayes.

Mr. Rhys Davies.
Mr. Philip Oliver.
Mr. Arthur Taylor.

Noes.

Major Braithwaite.
Lieutenant-Colonel Gault.
Sir Gervais Rentoul.
Mr. Womersley.

Paragraph, as amended, agreed to.

Paragraph 265, disagreed to.

Paragraph 266, amended and agreed to.

Paragraphs 267-271, agreed to.

Paragraph 272, amended and agreed to.

Paragraphs 273-280, agreed to.

Paragraph 281, amended and agreed to.

Paragraphs 282-285, agreed to.

Paragraph 286-288, amended and agreed to.

Paragraph 289, agreed to.

Paragraph 290, amended and agreed to.

Paragraphs 291-294, agreed to.

[Adjourned till Friday, at half-past 10 o'clock.]

Friday, 18th September, 1931.

Members Present:

Major Braithwaite.
Mr. Rhys Davies.
Lieutenant-Colonel Gault.
Mr. William Hirst.
Sir Alfred Law.

Mrs. Manning.
Mr. Philip Oliver.
Sir Gervais Rentoul.
Mr. Arthur Taylor.
Mr. Womersley.

Mr. BUXTON in the Chair.

Draft Report further considered.

Paragraphs 295 and 296, agreed to.

Paragraph 297, amended and agreed to.

Paragraphs 298-302, agreed to.

A paragraph brought up, read the first and second time, amended, and inserted in the Report after paragraph 302.

Another paragraph brought up, read the first and second time, amended, and inserted in the Report after the paragraph last inserted.

Paragraph 303, amended and agreed to.

Resolved, That the proceedings of the Committee of 24th July with respect to paragraph 194, be rescinded.

Paragraph 194 again considered, amended and agreed to.

Resolved, That the proceedings of the Committee of 28th July with respect to paragraph 217, be rescinded.

Paragraph 217 again considered, amended and agreed to.

Resolved, That the proceedings of the Committee of 28th July with respect to the first paragraph brought up by Mr. Philip Oliver, be rescinded.

A paragraph brought up, read the first and second time, and inserted in the Report after paragraph 217.

Resolved, That the proceedings of the Committee of 28th July with respect to paragraph 221, be rescinded.

Paragraph 221 again considered, amended and agreed to.

A paragraph brought up, read the first and second time, and inserted in the Report after paragraph 303.

Another paragraph brought up, read the first and second time, and inserted in the Report after the paragraph last inserted.

Paragraph 304, amended and agreed to.

Paragraph 305, agreed to.

Paragraph 306, disagreed to.

Paragraph 307, agreed to.

Paragraph 308, amended and agreed to.

Paragraph 309, disagreed to.

Paragraphs 310 and 311, agreed to.

A paragraph brought up, read the first and second time, and added to the Report.

Another paragraph brought up, read the first and second time, and added to the Report.

Resolved, That the Draft Report, as amended, be the Report of the Committee to the House.

Ordered, To Report, together with the Minutes of Evidence, and Appendices.

TABLE SHOWING NUMBERING OF PARAGRAPHS IN REPORT AND IN CHAIRMAN'S DRAFT REPORT.

Note.—This table is intended to obviate confusion in reading the Proceedings of the Committee when they considered the Draft Report. Owing to the omission of certain paragraphs from the original Draft Report, and the insertion of new paragraphs, the numbers of the paragraphs in the Draft Report do not tally with those in the Report as presented to the House. This table makes it possible to find out what were the proceedings on any particular paragraph, as column A shows the number of the paragraph in the Draft Report, and column B shows the number of the same paragraph in the Report.

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LIST OF WITNESSES.

Names and Bodies Represented.

- "A.," Mr., Individual Witness (shop assistant).
 "B.," Mr., Individual Witness (shop assistant).
 Ball, Mr. T. B., London and Suburban Traders' Federation.
 Barlow, Mr. W., Incorporated National Federation of Boot Trades Associations.
 Baxter, Mr. T., Scottish Federation of Grocers' and Provision Merchants' Associations.
 Bubb, Mr. W. Norman, Wholesale Tobacco Trade Association.
 "C.," Miss, Individual Witness (shop assistant).
 Cairns, Mr. D., National Federation of Meat Traders' Associations.
 Carter, Mr. H., Parliamentary Committee of the Co-operative Congress.
 Clark, Mr. J. T., Federation of Grocers' Associations.
 Clark, Mr. J. Walker, C.B.E., National Chamber of Trade
 Coles, Mr. W. H., D.S.O., Home Office.
 Collett, Mr. E. W., National Association of Outfitters.
 Cross, Mr. E. A., M.B.E., National Federation of Credit Traders.
 "D.," Mr., Individual Witness (shop assistant).
 "E.," Mr., Individual Witness (shop assistant).
 Farrington, Mr. E., National Federation of Fruit and Potato Trades Associations.
 Foan, Mr. G. A., Hairdressers' Parliamentary Committee.
 Frank, Mr. H., Wholesale Tobacco Trade Association.
 Frobell, Mr. H. W., Individual Witness (public-house employee).
 Gillian, Mr. A. J., National Union of Drug and Chemical Workers.
 Greenwell, Mr. E. G., Association of Juvenile Employment and Welfare Officers.
 Harraway, Mr. W. R., National Union of Retail Confectioners (Sweets and Chocolates).
 Howling, Mr. P., National Chamber of Trade.
 Howson, Mr. R. A., Parliamentary Committee of the Co-operative Congress.
 Isard, Mr. F. W., Provincial Wholesale Grocers' Association.
 Jarvis, Mr. C., Wholesale Textile Association.
 Jones, Mr. F., Parliamentary Committee of the Co-operative Congress.
 Kay, Mr. H., London Employers' Association.
 Kelly, Miss E. T., Individual Witness (former welfare worker).
 King, Miss M. E., O.B.E., Committee on Wage-Earning Children.
 Larking, Captain A., C.B.E., Early Closing Association.
 Leslie, Mr. J. R., National Amalgamated Union of Shop Assistants, Warehousemen and Clerks.
 McCrindell, Miss J. E., University of Liverpool Social Survey of Merseyside.
 McKim, Mr. W., Scottish Licensed Trade Defence Association.
 MacLaren, Mr. A., National Federation of Newsagents, Booksellers and Stationers.
 Mallinson, Mr. G. A., Retail Pharmacists' Union.
 Marshall, Mr. H. H., Retail Pharmacists' Union.
 Melluish, Mr. A. C., National Federation of Meat Traders' Associations.
 Monro, Mr. B. J., London Fruit, Flower and Vegetable Markets Association.

Payne, Mr. W., O.B.E., Joint Committee representing the Entertainment Industry.

Pickering, Captain J. R., M.B.E., (1) London and Suburban Traders' Federation, and (2) National Association of Outfitters.

Radcliffe, Mr. W. E., Individual Witness (former shop assistant).

Reeves-Smith, Mr. G., Hotels and Restaurants Association of Great Britain.

Robertson, Mr. G., Scottish Licensed Trade Defence Association.

Robertson, Mr. J. T., Edinburgh Master Butchers' Association.

Rose, Mr. G. H. V., Hairdressers' Assistants' National Craft Association.

Smith, Mr. D. L. Addison, Edinburgh Master Butchers' Association.

Smith, Mr. H. B., Individual Witness (small shop-keeper).

Speddings, Mr. H., National Federation of Newsagents, Booksellers and Stationers.

Sprackling, Mr. F. E., Incorporated National Federation of Boot Trades Associations.

Stephens, Mr. S., National Association of Master Bakers, Confectioners and Caterers.

Tait, Mr. J., Edinburgh Master Butchers' Association.

Thomas, Mr. K., United Kingdom Association of Multiple Shop Proprietors.

Thomson, Mr. J., Scottish Federation of Grocers' and Provision Merchants' Associations.

Towle, Mr. A. E., C.B.E., Hotels and Restaurants Association of Great Britain.

Travers, Mr. F., Primary Wholesale Grocers' Committee.

Willoughby, Dr. W. M., Medical Officer of Health, City of London.

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