To: The Honorable Kenneth M. Curtis, Governor of the State of Maine
From: Miss Marion E. Martin, Commissioner of Labor and Industry
Re: Biennial Report - July 1, 1970 - June 30, 1972
INDEX

BOARDS AND COMMISSIONS

Apprenticeship Council 1
Arbitration and Conciliation 2
Boiler Rules 2
Construction Safety 3
Elevator Rules 3
Minimum Wage Rate 3
Occupational Safety 4
Public Employees Labor Relations Appeals 4

COMMISSIONER'S ACTIVITIES 7

DIVISION REPORTS

Apprenticeship Council 12
Arbitration and Conciliation 17
Bedding & Upholstered Furniture - Stuffed Toy 27
Boiler Inspections 30
Elevator Inspections 36
Industrial Safety - Construction Safety 41
Minimum Wage, Women and Child Labor 47
Municipal Public Employees Labor Relations 51
Payment of Wage 53
Research and Statistics, Activity 15 55
Research and Statistics, Activity 55 58
Workmen's Compensation 59

EXHIBITS (Attached)

Boiler Rules and Regulations with Addenda (1969) A
Elevator Rules and Regulations with Addenda (1968) B
Federal Register (Adopted by Maine 1971) C
Labor Laws (Revision of 1971) D

PUBLICATIONS (Attached)

Census of Maine Manufactures (1971)
Maine Industrial Injuries (1970)
Maine Occupational Wage Survey (1971)

STAFF 5
To: Governor Kenneth M. Curtis


Budget and Balances

We have carried on these activities with Total Available of $314,167.78 for the first year. The expenditures for the first year were $308,750.72 leaving a balance of $5,417.06 - Encumbrances amounting to $423.49 were carried forward and $4,533.67 lapsed. The amount of the budget for the second year was $335,995.99. Expenditures for this year were $335,158.06 leaving a balance of $1,156.68. Encumbrances carried forward were $1,007.75 and $148.93 lapsed.

Boards

The Boards are fine public servants as with the exception of the Board of Arbitration and Conciliation, they receive no remuneration for their services—they give of their time and experience for the benefit of the State.

Maine State Apprenticeship Council

1970-1971

Employees

Martin J. Joyce, Portland
Wayne B. Rietta, So. Portland
*Michael Schoonjans, Old Orchard Beach
**Kenneth Snowdon, Bath
William H. Shirland, Portland
Alfred Ripley, Bath

Employers

Wallace L. Adams, Millinocket
William A. Moio, Portland
Maurice C. E. Roux, Biddeford Pool
Albert A. Rowbotham, Auburn

Public

Earl Hutchinson, Phippsburg
Stephen S. Kaler, So. Portland
Weldon Russell, Lewiston

1971-1972

Employees

Martin J. Joyce
Wayne B. Rietta
William H. Shirland
Alfred Ripley

Employers

Wallace L. Adams
**William A. Moio
Maurice C. E. Roux
Albert A. Rowbotham

Public

*Earl Hutchinson
Stephen S. Kaler
Weldon Russell
Carl P. Fogg

*Term Expired
**Resigned

Ex-Officio

Elwood A. Padham
Marion E. Martin
James C. Schoenthaler

Staff

In August 1970, John D. Mack resigned from the staff of the Apprenticeship Council and on September 5, 1970, John R. Dyer was employed as Apprenticeship Specialist. Secretary of the Council during the biennium has been Mrs. Evelyn Merrill, a 10 year veteran employee of the Council.
Board of Arbitration and Conciliation

1970-1971

Lawrence J. Thebeau, Freeport, Chr., Public
John M. Conley, Jr., Bath, Sec., Employers
Albert H. Page, Oquossoc, Employees

Alternates:
James J. Conley, So. Portland, Public
Robert O. Brown, Fairfield, Employers
Michael Schoonjans, Old Orchard Beach, Employees

Joseph Chandler, Portland, Public
Kenneth H. Ramage, Bethel, Employees
Roger Sherman, Saco, Employers

1971-1972

Lawrence J. Thebeau, Freeport, Chr., Public
John M. Conley, Jr., Bath, Sec., Employers
Albert H. Page, Oquossoc, Employees

Alternates:
Robert O. Brown, Fairfield, Employers
Michael Schoonjans, Old Orchard Beach, Employees

Joseph Chandler, Portland, Public
Kenneth H. Ramage, Bethel, Employees
Roger Sherman, Saco, Employers

Board of Boiler Rules


Miss Marion E. Martin, Chairman
LeRoy E. Verrill, Gray, Insurance Companies
Kenneth C. Tipper, Oakland, Owners and Users
Edward J. Fertig, Pemaquid, Operating Engineers
Harold W. Akerley, So. Portland, Manufacturers
Construction Board

1970-1971

Construction Contractors
James Violette, Waterville
Edward Hunter, Woolwich

Construction Workers
Kenneth Wormell, Brewer
Ernest R. Kimball, Orrington

Insurance Companies
Albert C. Hodson, Portland

Public
Dr. Weston S. Evans, Orono

*Miss Marion E. Martin, Commissioner, Labor and Industry
*Mr. Frank M. Hogerty, Jr., Commissioner, Insurance Department

1971-1972

Construction Contractors
James Violette, Waterville
Edward Hunter, Woolwich

Construction Workers
Kenneth Wormell, Brewer
Ernest R. Kimball, Orrington

Insurance Companies
Montelle Small, Portland

Public
Dr. Weston S. Evans, Orono

*Miss Marion E. Martin, Commissioner, Labor and Industry
*Mr. Frank M. Hogerty, Jr., Commissioner, Insurance Department

Board of Elevator Rules


Miss Marion E. Martin, Chairman
Hal Gosselin, Lewiston, Owners and Users
Ellis Hanson, Portland, Manufacturers
Lloyd Sawyer, Portland, Insurance Companies

*Miss Marion E. Martin, Commissioner, Labor and Industry
*Mr. Frank M. Hogerty, Jr., Commissioner, Insurance Department

Minimum Wage Rate Board


Miss Marion E. Martin, Chairman
Clement Cronin, E. Newport, Organized Labor in Highway & Heavy Construction Trades
John J. Joyce, Portland, Organized Labor in Building Trades
William M. Salter, Augusta, Building Contractor
Erik K. Sanders, Portland, Highway and Heavy Contractor
Mrs. Marjorie Clark, Secretary, Department of Labor and Industry
Occupational Safety Board


Miss Marion E. Martin, Chairman
Howard C. Brooks, Bucksport, Employer
James Duncan, Jr., Winslow, Employer
John J. Ezhaya, Norridgewock, Employee
Elden Hebert, Rumford, Employee
Charles R. Hagan, Augusta, Public
Ronald J. McKinnon, Jr., So. Portland, Insurance
Howell G. Cutter, Secretary, Department of Labor and Industry

Public Employees Labor Relations Appeals Board


David F. Aldrich, Chairman, So. Paris
Wilfred D. Gagnon, Waterville
Beniah C. Harding, Thomaston
## Staff

### As of July 1, 1970

**ADMINISTRATIVE**

- Marion E. Martin
- C. Wilder Smith
- Sharon L. Barter
- Ruth C. Beaudette
- Marguerite T. Ingham

### RESEARCH AND STATISTICS

- Wilbur C. Weeks
- Marjorie A. Clark
- Pamela Page
- Esther M. Parker - Part time
- David S. Wilson
- Sharon C. Wynne

### MINIMUM WAGE, WOMEN AND CHILD LABOR

- Madge E. Ames
- Ray Bradford, Jr. (Seasonal)
- George F. Jackson
- Paul K. Lovejoy
- Anne Pelletier
- Diane Pepin
- Eric E. Sandstrom
- J. Sidney Wakely

### BOILER INSPECTION

- Joseph W. Emerson
- Faylene C. Boynton
- Paul W. Rackley
- Robert P. Sullivan

### APPRENTICESHIP

- John D. Mack
- Evelyn H. Merrill

### INDUSTRIAL SAFETY

- Howell G. Cutter
- George L. Bates
- Frank Isbister
- Sandra J. Lamothe
- James K. Oldroyd

### As of July 1, 1972

**ADMINISTRATIVE**

- Marion E. Martin
- Raymond A. Webster (1)
- Carmen D. Guerette (2)
- Linda Nickerson (3)
- Ruth C. Beaudette

**RESEARCH AND STATISTICS**

- Wilbur C. Weeks
- Marjorie A. Clark
- David S. Wilson
- Esther M. Parker - Part time (4)
- Elestine E. Smith (5)
- Sharon C. Wynne
- William Vrooman

**MINIMUM WAGE, WOMEN AND CHILD LABOR**

- Madge E. Ames
- Job abolished (6)
- Vacancy (7)
- Paul K. Lovejoy
- Anne Pelletier
- Diane P. Vautour (5)
- Eric E. Sandstrom
- J. Sidney Wakely

**BOILER INSPECTION**

- Joseph W. Emerson
- Faylene C. Boynton
- Robert P. Sullivan (8)

**APPRENTICESHIP**

- John R. Dyer
- Evelyn H. Merrill

**INDUSTRIAL SAFETY**

- Howell G. Cutter
- George L. Bates
- Frank Isbister
- Sandra J. Lamothe
- James K. Oldroyd
- Royal E. Hoyt (10)
(1) Succeeded C. Wilder Smith.
(2) Succeeded Marguerite T. Ingham; the job was reclassified to a Clerk Steno III.
(3) Linda Nickerson succeeded Sharon L. Barter.
(4) Sandra Jones replaced Pamela Page and she was replaced by Elestine Smith.
(5) William Vrooman came into a new position created because of the Williams-Steiger Act. He is a Statistician II.
(6) The seasonal job was abolished and Anne Pelletier was reclassified to a Clerk Steno II.
(7) George Jackson retired.
(10) Royal E. Hoyt was selected for the new job of Occupational Safety Engineer.
(11) Marguerite Crane replaced Marion T. Pine.
(12) Vincent N. Stanhope was selected as an Elevator Inspector.

* = Now married.
During this biennium, continued progress has been made in improvement of the Labor Laws and their enforcement. Details are set forth in the reports from each program director.

Municipal Labor Relations Law

The most notable advance was the implementation of the Municipal Public Employees Labor Relations Law - Chapter 424 P. L. 1969 as amended by Chapter 578 P. L. 1970.

Realizing that collective bargaining in the public sector was a new concept and lack of knowledge of the law's requirements and lack of experience in the bargaining process was a deterrent to effective collective bargaining, we sought and obtained the cooperation of the University of Maine in establishing training courses. They held 17½ days of seminar type instruction, held a series of educational TV programs, conducted 11 two-hour classes and presented 12 programs. They had the cooperation of the American Arbitration Association; the Federal Conciliation and Mediation Service; and, the legal profession as well as other university professors. Since these courses required the payment of a registration fee, we put on two special one day seminars at the State Office Building at no expense or registration fees. The speakers donated their time as a personal service to the State.

The major difficulty in the smooth functioning of the program has been the difficulty of some administrators in adapting to the changing patterns of society. Formerly administrators had unilateral decision making authority over all working conditions while under the present law and under the changing mores, decision making is bi-lateral - the workers demanding and receiving a voice in and influence on their working conditions. It is to the credit of the parties, that difficult though it has been, the transition is taking place in an orderly fashion.

The establishment of a Public Employees Labor Relations Board under authority of Chapter 609 P. L. Special Session 1972 is a notable advance. The Board will assume all the functions previously performed by the Commissioner of Labor and Industry, i.e., settling of disputes over unit; conducting elections and certifying bargaining agents; appointing Fact Finders; and, in addition will be able to rule on prohibited (unfair) labor practices.

During the biennium, we have conducted 20 unit determination hearings; 48 elections and certified 39 bargaining agents, 9 having been lost by the petitioners; appointed 53 Fact Finding Boards of which 35 were private Fact Finding
Boards appointed from the list maintained by the Commissioner, while the Board of Arbitration and Conciliation have served as Fact Finders in 18 cases. In all, 34 Maine citizens have served as Fact Finders. They being the following:

<table>
<thead>
<tr>
<th>Ethel Baker</th>
<th>Samuel Hinds</th>
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<tbody>
<tr>
<td>Dennis Blais</td>
<td>William Houston</td>
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<td>Roy Blake</td>
<td>Bennett Katz</td>
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<td>Phillips Bradley</td>
<td>Willard Linscott</td>
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<tr>
<td>Robert Brown</td>
<td>Kenneth MacLeod</td>
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<tr>
<td>John Carey</td>
<td>Milton Nixon</td>
</tr>
<tr>
<td>John Conley, Jr.</td>
<td>Harold Noddin</td>
</tr>
<tr>
<td>Walter Corey</td>
<td>Albert Page</td>
</tr>
<tr>
<td>Walter Corey, 2nd</td>
<td>Kenneth Ramage</td>
</tr>
<tr>
<td>Parker Denaco</td>
<td>Maurice Roux</td>
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<tr>
<td>Stanley Devino</td>
<td>Bruce Saunders</td>
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<tr>
<td>John Ezhaya</td>
<td>Michael Schoonjans</td>
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<td>Wilfred Gagnon</td>
<td>Sidney Schwartz</td>
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<tr>
<td>William Garsoe</td>
<td>Roger Sherman</td>
</tr>
<tr>
<td>Harry Glassman</td>
<td>Lawrence Thebeau</td>
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<tr>
<td>Frank Hancock</td>
<td>Rodney Warren</td>
</tr>
<tr>
<td>Eldon Hebert</td>
<td>Robert Williamson</td>
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</table>

In 103 jurisdictions, the unit was agreed upon by the parties and no action from this Department was required; and 70 filed voluntary recognition forms.

Since the parties are not compelled by law to file copies of their agreements with this office, we can only estimate that there are upwards of 75 such contracts in effect.

There is a demand from State employees and University professors for comparable collective bargaining rights. In fact, the Legislative Research Committee has under consideration 3 bills which were introduced at the last session of the Legislature and which would provide those rights. We support the principle but believe that the timing is not right because of two points that are causing problems in other states. The first is who should bargain for the State - the Department Heads, the Personnel Board, the Governor or the Legislature? Since the Legislature controls the purse strings, it is the only body that can implement the financial aspects of a contract but since they cannot bind successor legislatures and since they meet only biennially, it would be impractical to have them be the bargaining agent for the administration. The second is whether the bargaining should be vertical, i.e., department by department, or whether it should be horizontal where all employees of a particular class are included in the unit.

From a pragmatic angle, there needs be a better understanding and greater support from the voters for such a program before it can work effectively. Since the principle is right, there is little question that eventually all public employees will have collective bargaining rights, but since there are so many complex problems to be solved before such rights are granted, we advise at least a two years delay before they are granted. Such delay will allow the new Labor Relations Board to be established and to gain experience. Their recommendations will be invaluable in determining how to draft and implement such a law. Also, the need for state employee bargaining rights is not too pressing because they are represented on the Personnel Board and, in addition, have a very broad grievance procedure set up by law and available to any state worker.
Other Advances

Advances and improvement have been made in the Minimum Wage; the Boiler; the Elevator; the Safety; and, the Apprenticeship laws and enforcement procedures. Each of the divisions has made a detailed report of such changes and they are attached and are a part of this report.

Occupational Safety

The Williams-Steiger Act, commonly called the Occupational Safety & Health Act of 1970, adopted by Congress has had a traumatic and dramatic effect upon our work.

Briefly the law sets safety standards which every employer must meet. The responsibility for enforcement is placed in the U. S. Department of Labor which has the authority to delegate the enforcement to the states which develop a Plan which provides standards and enforcement procedures "equally as effective" as the federal standards. The States have three years to change their laws, their procedures and the enforcement of their laws to meet the federal standards. If a State does not comply and receive approval from the U. S. Department of Labor, the Federal will preempt the State from the occupational and health field.

Governor Curtis appointed us to be the federal coordinator. In April 28, 1971, we applied for the interim authority to enforce our laws while we developed our State Plan. This authority expires December 3, 1972.

We have held 4 meetings with representatives of the following agencies which have jurisdiction over certain sections of the Occupational Safety program - those being the Health; Agriculture; Public Utilities; and, Insurance Departments.

On July 1, 1971, we contracted with Overseas Development Ltd. to develop an Occupational Safety Plan. This is financed on a 90/10 grant from the U. S. Department of Labor. We have received $76,374.00 from the U. S. Department and have provided $8,486.00 in kind services.

The safety plan is ready for submission and we anticipate that it will be the late Fall before it is finally acted upon by the U. S. Department as it first has to clear the Regional Office of the U. S. Department of Labor.

A second 90/10 Planning Grant of $74,997.00 was received on February 2, 1972. This Grant is for the purpose of developing a model program for municipal and other public employees occupational safety. A contract was made on April 11, 1972, with Overseas, Ltd. to develop the program. The Grant originally requested on November 12, 1971, to run to December 1972. The Grant was approved and funds received on February 2, 1972. At that time, the date for completion was extended to February 28, 1973.

In addition, a Federal Grant of $13,770.00 was received by our Division of Research and Statistics. This was a 90/10 Planning Grant and our share was provided for by in-kind services. That Plan was approved on July 1, 1971, and we are now operating on a 50/50 Grant for Recordkeeping under OSHA, ($12,266.00). Our share is provided through in kind services.
Women & Child Labor Laws

A full report of the enforcement of these laws is given by Miss Madge Ames, Director of Minimum Wage, Women & Child Labor Laws' enforcement. I wish, however, to point out that our protective legislation for women which limits the number of hours that women may work is of dubious constitutionality.

It is our hope that before our law is repealed that the exemption from overtime of employees in restaurants, hotels and motels (cf. Title 26, Chapter 7, Subchapter III R. S. 1964 as amended) will be removed. These establishments are notably low paid and the hours long. Even before the minimum wage law was adopted, these were the establishments which were found to be the greatest violators of the limitation of hours which women could work.

Since the job opportunities for women are relatively limited, many, particularly young women, have to accept this kind of work. They are the ones in greatest need of protection. If overtime pay were required, it would serve as a deterrent to excessive hours to be worked by such women as production falls off as fatigue sets in and it is uneconomic to pay excessive overtime.

Recommendation

Our strongest recommendation, therefore, is that the exemption from overtime pay in restaurants, hotels and motels should be repealed.

Reorganization

The Department of Labor and Industry has a long and honorable tradition having its roots in the Resolves of Maine 1873 when an industrial statistics activity was established in the Secretary of State's Office. The Sixty-third Legislature in 1887 passed a law establishing a separate and distinct department known as the Bureau of Industrial and Labor Statistics. The Department of Labor & Industry was established in 1911.

The first "Labor Law" was a child labor law adopted in 1847 and in 1911, its enforcement was placed in the Department of Labor and Industry.

Since then, the Department has grown in response to changing conditions and to newer demands. When reviewing the history, progress at times has seemed to be very slow but we can point with pride to the fact that Maine has a sound body of labor laws which reflects the soundness, the fairness and the other characteristics of "The Maine Man". The Department is recognized throughout the country as having sound and adequate labor laws, honestly administered.

We are saddened that the Department is reduced to a Bureau on July 1, 1972, but accept the change as a promise of further accomplishments for Labor and Industry in the State.

It has been an honor to serve the State as Commissioner for Labor and Industry for 25 1/4 years. It has been a rewarding experience. We are impressed with the help and cooperation given us by labor; industry; government at all levels; educational institutions - especially University of Maine and Colby; the advice and counsel of the various legislators; the staff of the Department and, last but not least, Governors Hildreth, Payne, Cross, Clauson, Reed and Curtis.
Without the help and patience of all the above mentioned groups, we and the department would have been handicapped and worked in the dark. We hope and we know that our successor will receive the same cooperation and help. We, therefore, look for great progress in the years ahead.

Signed [signature]
TO: Miss Marion E. Martin, Commissioner, Department of Labor & Industry
FROM: Stephen S. Kaler, Chairman, Maine State Apprenticeship Council
RE: Biennial Report - July 1, 1970 to June 30, 1972

Apprenticeship is defined, procedures established and standards for apprenticeship set up under Chapter 11, Section 1001 through 1007, Title 26, Revised Statutes 1964, as amended. The Maine State Apprenticeship Council, as provided thereunder, is composed of eleven members, four each representing Labor and Management and three representing the Public. Three ex-officio members without vote serve by virtue of their position as head of Vocational Education, Labor and Industry and Maine Employment Security Commission.

During this biennium, the Council members were:

<table>
<thead>
<tr>
<th>Employees</th>
<th>1970-71</th>
<th>1971-72</th>
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<tbody>
<tr>
<td></td>
<td>Martin J. Joyce</td>
<td>Martin J. Joyce</td>
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<td></td>
<td>Wayne B. Rietta</td>
<td>Wayne B. Rietta</td>
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<td></td>
<td>Michael Schoonjans *</td>
<td>William H. Shirland</td>
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<td>Kenneth Snowdon **</td>
<td>Alfred Ripley</td>
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<td>William H. Shirland</td>
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<td></td>
<td>Alfred Ripley</td>
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<tr>
<td>Employers</td>
<td>Wallace L. Adams</td>
<td>Wallace L. Adams</td>
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<tr>
<td></td>
<td>William A. Moio</td>
<td>William A. Moio **</td>
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<tr>
<td></td>
<td>Maurice C. E. Roux</td>
<td>Maurice C. E. Roux</td>
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<td>Albert A. Rowbotham</td>
<td>Albert A. Rowbotham</td>
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<tr>
<td>Public</td>
<td>Earl Hutchinson</td>
<td>Earl Hutchinson *</td>
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<td></td>
<td>Stephen S. Kaler</td>
<td>Stephen S. Kaler</td>
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<td></td>
<td>Weldon Russell</td>
<td>Weldon Russell</td>
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<td></td>
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<td>Carl P. Fogg</td>
</tr>
</tbody>
</table>

* Term Expired
** Resigned

Ex-Officio

| Elwood A. Padham | Elwood A. Padham |
| Marion E. Martin  | Marion E. Martin  |
| James C. Schoenthaler | James C. Schoenthaler |

Staff

In August 1970, John D. Mack resigned from the staff of the Apprenticeship Council and on September 5, 1970, John R. Dyer was employed as Apprenticeship Specialist. Secretary of the Council during the biennium has been Mrs. Evelyn Merrill, a 10 year veteran employee of the Council.
The Council met in fifteen regular sessions and held one special meeting during this biennium. The progress of apprenticeship is steady; indentured apprentices peaked at 1547. The count is less at the close of this reporting period due to a reduction in the work force at Portsmouth Naval Shipyard when the training of more than 200 apprentices was cancelled. Registration of new programs is constant as the table of statistics at the conclusion of this report reveals.

Graduation exercises were held for apprentices at Bath Iron Works, Augusta Electricians and Portland Electricians, Great Northern Paper Company, Maxam's Little Engines, the Iron Workers and Sylvania Electric Products Company, when Certificates of Completion of Apprenticeship, issued by the Council, were awarded the graduates in recognition of the completion of their apprenticeship training and their advancement to the status of journeyman in their trade.

Activities

Attention to improving apprenticeship is ever constant and in this regard guidelines were adopted for establishing wages in apprenticeship programs to include a minimum starting rate of $2 per hour or 50% of the journeyman rate, whichever is greater; a requirement that the apprentice wage for the last 6 months of apprenticeship be not less than 95% of the journeyman rate at that time; and to review this policy at least on a yearly basis.

It was determined that all apprentice wages shall be stated in percentages of the journeyman rate and shall fluctuate in like percentages to any increase in the journeyman rate.

A ratio policy was established of one apprentice to the first journeyman and one apprentice for each five journeymen thereafter (1-1/1-5) for the purpose of assuring proper training of the apprentice indentured in a small program and, also, to protect the journeyman's job.

Continued and increased attention is focused on related instruction for apprentices, as well as training courses for journeymen. In this, the program is indebted to the Bureau of Vocational Education for their understanding and cooperation.

Advantageous to the registered apprentice is the policy of the Department of Education, Bureau of Vocational Education, to waive the registration fee for classroom instruction in their related theoretical instruction requirement.

In an effort to give better recognition to apprentices reaching journeyman status, a news release format and accompanying letter were composed for mailing to the sponsor with each Certificate of Completion of Apprenticeship for insertion in the local newspaper.
Pre-Apprenticeship programs were developed in the trades of Brickmason and Carpenter. At the conclusion of nine months study at the vocational technical institute, efforts are made by the sponsoring craft committee to place the students in a full time apprenticeship program.

Great effort was expended in preparation for compliance with the amended Federal regulations of Title 29 CFR Part 30 - Equal Employment Opportunity in Apprenticeship and Training which became effective April 8, 1971. A State Plan was prepared, adopted by the Council and approved by the U. S. Department of Labor, Bureau of Apprenticeship and Training in September 1971. As required, all registered apprenticeship programs were in compliance with these regulations by April 8, 1972.

During the 105th Legislative Session, an attempt was made to clarify the statutory terminology of 'apprentice' as it appears in the Electrician's and Plumber's licensing laws, with little or no success. Both the Plumber's and Electrician's Boards license apprentices and journeymen with but little experience. This is contrary to the Federal Bureau of Apprenticeship Standards and causes great confusion, as a veteran is not eligible for training benefits unless he is registered in a program approved by the Maine State Apprenticeship Council. The above referred to status should be amended at the earliest possible date.

An amendment to the Selective Service regulations requires, in order to request deferment, that the apprentice must have been training with the sponsor in a program registered with the Maine State Apprenticeship Council on or before July 1, 1971. Because of this new requirement, together with the lottery system, during the last six months of the biennium there were few requests for deferment for apprenticeship training.

As the approving agency for apprenticeship training for veterans, and with the concentration on the employment of the returning serviceman, several applications for approval for veterans' benefits are processed monthly.

The Apprenticeship Specialist has kept close surveillance on all apprenticeship programs and during this biennium has made 352 personal visits to sponsors for program review, consultation on related theoretical instruction, up-dating of records and compliance with the Affirmative Action program. He participated in the graduation ceremonies mentioned at the beginning of this report and, on behalf of the Council, presented the Certificates of Completion of Apprenticeship to the apprentices. He has had numerous conferences with representatives of state departments, U. S. Bureau of Apprenticeship and Training, Joint Apprenticeship Committees, Vocational Technical Institutes, and Guidance Counselors.

A special Seminar was sponsored and financed by the U. S. Department of Labor, Bureau of Apprenticeship and Training, on January 3-7, 1972 at Newton, Mass. Mr. Dyer registered at this meeting for instruction on Title 29 CFR Part 30 - Equal Employment Opportunity in Apprenticeship and Training, the sessions of which were conducted by Lockheed-California Co. On May 10 and 11, 1972, Mr. Dyer attended the Regional Conference of the Bureau of Apprenticeship and Training in Boston, Mass., on compliance and recordkeeping under Title 29 CFR Part 30.

Expenditures for Biennium
Ending June 30, 1972

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Personal Services</td>
<td>$16,172.50</td>
<td>$17,780.50</td>
<td>$33,953.00</td>
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<tr>
<td>Travel-In State</td>
<td>1,596.74</td>
<td>1,081.70</td>
<td>2,678.44</td>
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<tr>
<td>Travel-Out of State</td>
<td>333.46</td>
<td>306.30</td>
<td>639.76</td>
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<tr>
<td>Total Travel</td>
<td>1,930.20</td>
<td>1,388.00</td>
<td>3,318.20</td>
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<tr>
<td>Total Operating</td>
<td>438.57</td>
<td>748.33</td>
<td>1,186.90</td>
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<tr>
<td>Commodities</td>
<td>343.73</td>
<td>261.48</td>
<td>605.21</td>
</tr>
<tr>
<td>Total All Other</td>
<td>2,712.50</td>
<td>2,397.81</td>
<td>5,110.31</td>
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<tr>
<td>Capital Equipment</td>
<td>59.00</td>
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<tr>
<td>Total Expenditures</td>
<td>$18,944.00</td>
<td>$20,178.31</td>
<td>$39,122.31</td>
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### Statistics

<table>
<thead>
<tr>
<th>Section</th>
<th>1970-71</th>
<th>1971-72</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apprenticeship Programs Registered</td>
<td>132</td>
<td>149</td>
</tr>
<tr>
<td>Beginning of Period</td>
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<td></td>
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<tr>
<td>New Programs Registered</td>
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<td>64</td>
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<tr>
<td>Programs Cancelled</td>
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<td>20</td>
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<tr>
<td>Programs Active at Close of Period</td>
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<tr>
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<td>1457</td>
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<tr>
<td>New Apprentices Registered</td>
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<td>429</td>
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<tr>
<td>Apprentices Reinstated</td>
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<tr>
<td>Apprentices Completed</td>
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<td>269*</td>
</tr>
<tr>
<td>Certificates of Completion Issued</td>
<td>122</td>
<td>108*</td>
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<tr>
<td>Apprentices Suspended</td>
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<td>0</td>
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<tr>
<td>Apprentices Cancelled</td>
<td>331</td>
<td>483*</td>
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<tr>
<td>Apprentices at Close of Period</td>
<td>1457</td>
<td>1164</td>
</tr>
<tr>
<td>Pre-Apprenticeship Programs</td>
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<td>2</td>
</tr>
<tr>
<td>Pre-Apprentices Registered</td>
<td>16</td>
<td>23</td>
</tr>
<tr>
<td>Requests for Deferment from Military Service to Continue Apprenticeship Training</td>
<td>60</td>
<td>37</td>
</tr>
<tr>
<td>Applications Approved for Veterans Benefits for Apprenticeship Training</td>
<td>138</td>
<td>191</td>
</tr>
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</table>

*The 269 apprentices completed in 1971-72 included 116 at Portsmouth Naval Shipyard for whom Certificates are not requested or issued.

The 483 cancelled apprentices in the same year, included 221 at the Portsmouth Naval Shipyard necessitated by a reduction in work force.*
To: Miss Marion E. Martin, Commissioner of Labor and Industry  
From: John M. Conley, Jr., Secretary - Board of Arbitration & Conciliation  
Re: Annual Report - July 2, 1970 to July 1, 1971

In accordance with statutory requirements, the organization meeting of the Maine State Board of Arbitration and Conciliation was held on Wednesday, September 16, 1970, in the conference room of the Maine Department of Labor and Industry, Augusta. The Board elected John M. Conley, Jr., Bath, Maine, as its Secretary.

At a meeting held on October 21, 1970, the Board met in the offices of the Maine Department of Labor and Industry in Augusta and discussed at some length the Rules and Procedures to be adopted for the ensuing year. By unanimous vote, such rules were adopted.

Seminars on fact-finding and public employee conciliation and arbitration were held in Augusta and Portland, Maine, in August and September, respectively, for the benefit of the Board and its members.

The total personnel of the Board was increased from six to nine members, as authorized by Maine statute, in view of the increase in workload in recent years brought about because of coverage of public employees for collective bargaining purposes.

The Board acted as a fact-finding body in 10 instances throughout the report year, and heard two arbitration cases.

The fact-finding matters were as follows:

December 12, 1970 - Town of Fairfield and the Police and Public Works Departments

The Police and Public Works Departments were represented by AFSCME, AFL-CIO, Locals 1458 and 1828.

The issues in dispute were deductions of union dues, retroactive pay for the Police Department, and a 40-hour week for employees of the Public Works Department.

The Board's recommendations in these matters were:

1. That provision for union dues deductions be implemented as soon as practical, but no later than April 1, 1972.

2. The Board recommended that the Town Council present to the next Town Meeting Budget Committee, to be presented to the March 1971 Town Meeting, an item to be included in the budget to cover the additional cost of the March 1970 wage increase retroactively paid from the first week in the 1970 fiscal year.
3. That effective April 1, 1971, the PWD employees be scheduled on a 40-hour week during a summer period without reduction in the weekly wage because of less hours worked and 44 hours during a winter period, and that the specific summer and winter periods be mutually agreed upon.

February 6, 1971 - SAD #3 Teachers' Association and SAD #3 School Directors - Thorndike

This matter involved the base salary schedule.

The Board's recommendation was that the parties agree to a salary schedule starting at $6300 per annum without increasing additional steps to the present salary schedule, which now totals 10 steps.

February 12, 1971 - Union #49 School Committee and Boothbay Region Teachers' Association

The issues in dispute were salaries, health insurance and sick leave benefits.

The Board's recommendations were:

1. Health payment plan - that the teachers be paid the amount equal to the full premium required under the present plan for single subscription.

2. Sick leave benefits - that a sick leave schedule be adopted as follows:

   10 days - 1st year
   12 days - 2nd year
   15 days - 3rd year

   Accumulating to a total of 100 days

3. Salary schedule - The Board recommended a salary schedule for Bachelor's degree teachers starting at $6400 per annum.

However, the Board has considered the merits of the School Committee's various proposals for longevity payments or length of service bonuses as an incentive to remain in the system and give financial recognition to continuous long service. It appears obvious that the School Committee looks favorably on such a plan, but the Fact-finding Board itself, with knowledge that such a plan may not be in effect in any other school system in Maine, does not feel that it should make any recommendations to promote or encourage a different and new salary policy.
February 20, 1971 - Brunswick Firefighters' Union (IAFF #1718 and Brunswick Town Council)

The issues involved the following:

1. Acceptance by the Union of the ambulance service as an added duty.
2. Pay adjustment for ambulance duty.
3. Pay increase based on cost of living.
5. Effective date of general pay increase.

The Board's recommendations were:

1. Ambulance service pay - that State of Maine Licensed Ambulance Attendants, who are subject to ambulance duty, be compensated at the rate of $4.00 per week above their Step Rate in Range 22, and that this be a required duty when so assigned.
2. Pay increase based on cost of living - That the increase of 5.3% on the existing pay scale proposed by the Town be accepted.
3. Effective date of pay adjustments - That any pay adjustments become effective on or about April 1, 1971.
4. Accounting of sick leave days - That present regulations with respect to the computation of sick leave remain unchanged, including the allowable accumulative days to 90.

March 19, 1971 - Union 30 Teachers Association and Union 30 School Board - Lisbon Falls

The issues in dispute between the parties involved several contract provisions in the negotiating of a new collective bargaining agreement, and the recommendations of the Board were considered in resolving the matter.

March 27, 1971 - SAD #14 Directors and East Grand Teachers Association - Danforth

Twenty-one specific disputed issues concerning the negotiation of a first collective bargaining agreement between the parties were presented to the Board, and recommendations were made by the Board to resolve each issue.
March 31, 1971 - Lincolnville Teachers Association and Lincolnville School Board - Camden

This matter involved a base pay B. A. plan, with the teachers seeking an increment of 5% to be effective for the 1971-72 year only. The School Board, in turn, had made a counter-offer of meeting these demands within two years by maintaining the base of $6400, adding only the increments in 1972-73.

The Board recommended that the teachers and School Board accept a recommendation of a $6300 base for the year 1971-72 with increments of 5%.

April 8, 1971 - Thornton Academy Trustees and School Teachers Association - Saco

The teachers and trustees presented their cases and then requested that the Board act as conciliators as a medium of reaching a settlement between the two parties. The request was granted by unanimous consent of the Board and the conciliatory procedure was effected.

At the conciliation session the parties agreed to certain terms of salary and retirement benefits, and the differences were thereby solved.

April 10, 1971 - School Union #96 Teachers Association and School Union #96 - Sorrento-Sullivan

Several issues in dispute were presented to the Board, and the matter was resolved, at the request of the parties, by the Board acting as a panel of conciliators.

May 25, 1971 - Brunswick Police Benefit Association and Brunswick Town Council

The parties were in dispute over various issues involved in contract negotiations. These matters were presented to the Board and recommendations were made regarding each issue by the Board.

In addition to the above fact-finding cases, the Board acted as a Board of Arbitration involving two matters concerning the City of South Portland.

The first case, between the City and the South Portland Municipal Employee Association, involved the discharge of Public Works Department employee Russell R. Libby for violation of rules, as to whether his discharge was for just cause. This matter was heard on May 18, 1971.

The Board felt that the disciplinary action in this case was too severe and that he should be reinstated with full seniority rights, with loss of wages
he might have earned during his period of discharge, and that for purposes of the employee's record his loss of time and wages during this period should be considered as a suspension, and that any reoccurrence of misconduct or violation of rules by Mr. Libby for proper cause should result in his discharge from the employ of the City of South Portland.

In the other matter, involving the City and the South Portland Fire Fighters Association, Local 1746, IAFF, AFL-CIO, which was heard on June 9, 1971, the issue concerned so-called "Kelley Days" for Fire Department employees on their days off.

As a result of the hearing, the Board directed the City of South Portland to reevaluate and revise its schedule to provide for "Kelley Days" or compensatory time off for all employees in the year 1971 in accordance with the practice now being followed for employees not on vacation, National Guard, sickness or accident leave.

In conclusion, it should be noted that the scope of cases involving public employees in our state is increasing as more employee groups become organized. It is therefore our opinion that the Board's services in the immediate future years will be in greater demand as each year passes.

Respectfully submitted,

MAINE STATE BOARD OF ARBITRATION AND CONCILIATION

S/ Lawrence J. Thebeau
Chairman

S/ Albert H. Page
Labor Representative

S/ John M. Conley, Jr.
Secretary
To: Miss Marion E. Martin, Commissioner of Labor and Industry
From: John M. Conley, Jr., Secretary - Board of Arbitration and Conciliation
Re: Annual Report - July 1, 1971 to June 30, 1972

Following is a report of the activities of the Maine State Board of Arbitration and Conciliation, involving fact-finding, conciliation and arbitration, for the period from July 1, 1971, through June 30, 1972:

1. July 12, 1971 - Arbitration
Brunswick-Topsham Water District and
American Federation of State, County and
Municipal Employees, AFL-CIO,
Council 74, Local 1458

The issues involved were two grievances filed by
Vernon C. Yates, Sr., station attendant, re
staggered work weeks and rate of pay for work
performed on a paid holiday.

The Board viewed the first issue as a matter of
interpretation of the word "staggered", and requested
that the District again review the situation. In the
matter of work performed on a paid holiday, the Board
found that Mr. Yates should receive Christmas Day
holiday pay at the normal rate for a normal work day
in addition to time and one-half pay for all hours
worked on that day.

Surry School Board (School Union 92) v.
Union River Valley Teachers Association

Both parties involved agreed and requested that the
matter be transferred to conciliation by the Maine
Board of Arbitration and Conciliation.

All issues involved were conciliated to the satisfaction
of those concerned.

Fort Fairfield SAD 20 v.
AFSCME, AFL-CIO, Council 74, Local 2010

Following considerable discussion on each point at issue
during the finding of facts, it became evident to each
party in the dispute that it was a failure to fully
understand the intent of the other in the first three
issues that led to the impasse. Separate conferences
with SAD 20 and Council 74 by the employer representative
and employee representative, respectively, resulted in
resolving all four of the issues.
4. September 15, 1971 - Annual Meeting of
Maine Board of Arbitration and Conciliation

As required by Section 911, Title 26 of the Maine Labor
Laws, the annual meeting of the Board was held in the
conference room of the Maine Department of Labor and
Industry, Augusta, wherein revised Rules of Procedure
were adopted, and John M. Conley, Jr., was elected
Secretary of the Board.

5. February 29, 1972 - Arbitration
National Casket Company, Portland v.
Truck Drivers Local 340 - South Portland

The issue involved concerned failure of the company
to engage William J. Whitmore, a part-time employee,
for driving work in excess of the regular driver's
assignment, and using nonunion personnel for such
work instead.

The Board found, in the absence of any restrictive
articles in the labor contract, that the company did
not violate the contract between the parties in the
matter of the issue concerned.

Fort Fairfield SAD 20 v.
AFSCME, AFL-CIO, Council 74, Local 2010

An impasse existed on six issues—salaries, BC/BS
insurance, length of work week, part-time and
temporary employees, supervisory personnel performing
regular work, and agency shop.

Following considerable discussion, both parties jointly
requested that the differences be conciliated by the
Board. All matters were satisfactorily resolved and
agreements reached on each of the items with the ex-
ception of the length of the work week. In this
regard, the Board recommended that the provisions
regarding Hours of Work in the contract remain unchanged
and that SAD 20 revise the present hours of work schedule
and that the hourly rate be adjusted as necessary to
effect no reduction in weekly pay based on the current
work week.
7. **March 11, 1972 - Fact-Finding and Conciliation**  
**Presque Isle SAD 1 v. AFSCME, AFL-CIO, Council 74, Local 2177**

The original three issues at impasse between the parties were on salaries, BC/BS insurance and termination date of contract.

Discussion between the parties at the hearing reduced the disagreement to the effective date of a monthly insurance benefit and the number of weeks the employees would have a reduced work week without loss of weekly earnings during the summer months.

Following discussion and statements by the union in its behalf and the presentation of a brief by SAD 1, the parties jointly requested that the Board conciliate the remaining differences.

With further discussion, the union accepted the proposed starting date for the monthly insurance rate, and upon clarification of the length of time the work week would be reduced without loss of weekly pay, the final settlement was reached between the parties.

8. **March 22, 1972 - Fact-Finding**  
**Chelsea Superintending School Committee v. Chelsea Teachers Association**

The issues in dispute involved fringe benefits and salaries. The teachers, as a compromise offer, had withdrawn the fringe benefit issue and had substituted a request for a $6600 base with increments of 5% for ten steps. This particular aspect had not been considered up to this time by the School Committee.

The Board found that the tax effort of the town has been increased substantially over the last two years and that it was apparent that the teachers' salary rates have been improving rapidly during the previous four years and are comparable to towns of similar resources, and therefore recommended, in view of the evidence that the teachers accept a salary base of $6450 with a 5% increment over a ten-step program without fringes other than those previously agreed upon.
9. May 12, 1972 - Fact-Finding
Buckfield School Board v.
Buckfield Teachers Association

This matter concerned negotiations of a new labor agreement between the parties.

A further meeting of the fact-finders was held on June 13 for a review and clarification of the recommendations, and a final report is in the process of being developed.


Miss Marion Martin, Commissioner of Labor and Industry, called a special meeting of all the fact-finders and the State Board of Arbitration and Conciliation to discuss the results of a survey made of all those who have used fact-finding services, in order to benefit from the reaction of those who have used the service.

11. June 6 and 13, 1972 - Conciliation
Readfield School Committee and Readfield Teachers Association

At the request of both parties, the Board sat in on two five-hour contract negotiation sessions. The Board members were greatly impressed with the performance of the negotiators of each party in reaching agreed settlements on all of the contract provisions in dispute.

All indications point to a greater volume of cases involving public employees requiring the service of this Board or other agencies. The Board has received excellent cooperation from labor, management and public groups pursuant to the various matters contained in this report.

As a result of the versatility of functions which the Board is required to exercise, including fact-finding, conciliation and arbitration, it is Chairman Lawrence J. Thebeau's wishes to record that it is his belief that with the various cases handled by the Board throughout the fiscal year, the entire complement of the Board has shown extreme capabilities and responsibility in the State of Maine's labor problems that have come before them.
It especially wishes to record its sincere thanks to the Commissioner of Labor and Industry, Miss Marion E. Martin, who is resigning from this position effective with the date of this report, for her cooperation and guidance.

Respectfully submitted,

MAINE STATE BOARD OF ARBITRATION AND CONCILIATION

S/ Lawrence J. Thebeau
Chairman

S/ Albert H. Page
Member Representing Labor

S/ John M. Conley, Jr.
Secretary
To: Miss Marion E. Martin, Commissioner of Labor and Industry  
From: John R. Dyer, Administrator, Bedding; Upholstered Furniture Law  
and Stuffed Toy Law  
Re: Biennial Report - July 1, 1970 to June 30, 1972

**Bedding; Upholstered Furniture Law**

The administration and operation of the Bedding; Upholstered Furniture law is found in Chapter 5, Subchapter 1, Sections 81 through 84 and 111 through 114, Title 26, Revised Statutes 1964 as amended.

The purpose of the Bedding; Upholstered Furniture law is to provide protection to the purchaser against unsanitary filling or stuffing used in articles of bedding and upholstered furniture. The Department registers at a fee of $50 annually, based on the calendar year, manufacturers and suppliers of products as described in the statutes.

Due to the retirement of the Deputy Commissioner in July 1971, field inspection of bedding and upholstered furniture has been curtailed. It was necessary to assign this task to another field representative whose time had to be shared with his regular assignments. Investigations have concentrated upon the licensing of manufacturers and sales outlets and the fixation of State approved tag on each item. Limited inspections have been made to manufacturers and sales outlets throughout the State. More time should be allowed for field inspections, if strict compliance with the law is ascertained by the field representative.

Several new companies have registered during this biennium and numerous inquiries as to the requirements of the State of Maine have been answered. Response to inquiries by the National Association of Bedding Manufacturers has aided in disseminating information on the new requirement of annual registration rather than stamps.

**Bedding Income**

<table>
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<tr>
<th>Year</th>
<th>Licenses</th>
<th>Fee per License</th>
<th>Total Revenue</th>
</tr>
</thead>
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<tr>
<td>1970-71</td>
<td>396</td>
<td>$50</td>
<td>$19,800.00</td>
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<tr>
<td>1971-72</td>
<td>345</td>
<td>$50</td>
<td>$17,250.00</td>
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Stuffed Toy Law

Statutory requirements for the administration and operation of the Stuffed Toy Law is found in Chapter 5, Subchapter 1-A, Sections 1 through 26 inclusive and 131 through 134 inclusive, Title 26, Revised Statutes 1964 as amended.

Again the retirement of the Deputy Commissioner, who handled compliance with this law, has curtailed the amount of active inspections of stuffed toys. The field representative has checked outlets when possible in conjunction with his other work. Some products of unregistered manufacturers have been found and the manufacturer has, upon notice, complied with the law by registering. There has been more activity in the investigation of stuffed toy products than in the bedding and upholstered furniture.

The purpose of the law is to protect the public from unsanitary material being used in the stuffing of toys for use by youngsters. A laboratory examination is performed on representative samples of toys to be sold in the State of Maine by new manufacturers. A repeat examination should be made every three years. Seventy-seven bacteriological examinations have been performed by the Public Health laboratory for this Department at a cost of $15 per examination. The laboratory examination determines whether or not bacteria in the form of coliform is present in the stuffing material. After consultation with the Director of the Public Health laboratory, the policy was established that samples containing fecal coliform would not be passed. There has been several unsatisfactory laboratory reports and the manufacturers have been refused registration.

I feel that adequate field inspections and laboratory examinations have been made. However, there is a need for the establishment of realistic standards in order to better interpret the results of the laboratory examination. Our attempts to find nationally a standard for examination of stuffing materials has failed. Several manufacturers have corrected unsatisfactory conditions upon notification that their sample had contained bacteria.

<table>
<thead>
<tr>
<th>Stuffed Toy Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71 67 Registrations @ $50 - $3,350.00</td>
</tr>
<tr>
<td>1971-82 70 Registrations @ $50 - $3,500.00</td>
</tr>
</tbody>
</table>

Bedding and Stuffed Toy Inspection Report

For the year July 1, 1970 to June 30, 1971

| Number of Inspections | 75 |
| Number of Violations  | 13 |

For the year July 1, 1971 to June 30, 1972

| Number of Inspections | 56 |
| Number of Violations  | 2  |
### EXPENDITURES FOR BIENNium
**Ending June 30, 1972**

1155 1090 - Bedding & Stuffed Toys

<table>
<thead>
<tr>
<th></th>
<th></th>
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</tr>
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<tbody>
<tr>
<td>Personal Services</td>
<td>$ .00</td>
<td>$ .00</td>
<td>$ .00</td>
</tr>
<tr>
<td>Analysts &amp; Laboratory Service</td>
<td>190.00</td>
<td>915.00</td>
<td>1105.00</td>
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<tr>
<td>Travel - In State</td>
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<td>Operating</td>
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<td>Commodities</td>
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<td>64.89</td>
</tr>
<tr>
<td>Total All Other</td>
<td>$ 348.00</td>
<td>$1024.94</td>
<td>$1372.94</td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>$ 348.00</td>
<td>$1024.94</td>
<td>$1372.94</td>
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Boiler Law

The Statutes governing boilers in this State are included in Sections 141-247, Title 26, Revised Statutes of 1964, amended by Sections 1 and 2, Chapter 211, Public Laws of 1965; Sections 1 and 2, Chapter 345, Public Laws of 1969; Sections 1 through 7, Chapter 51 and Section 1, Chapter 447 and Chapter 55, Public Laws of 1971.

Scope

With the exception of those boilers that are exempt by law, the provisions of the "Boiler Law" apply to all so-called high-pressure steam boilers, and to low-pressure steam heating boilers, hot water heating boilers and hot water supply boilers that are located in schoolhouses, public or private, or are owned by municipalities. So-called high-pressure steam boilers are those that carry steam pressures over 15 pounds per square inch. Low-pressure steam heating boilers are those that carry steam pressures not in excess of 15 pounds per square inch. Hot water heating boilers are those used for heating water as the medium for space heating purposes. Hot water supply boilers are used for heating water for domestic hot water supply purposes.

Boilers that are exempt by law from the provisions of the "Boiler Law" of this State, include, boilers under Federal control; boilers used solely for propelling motor road vehicles; boilers of steam fire engines brought into this State for temporary use in times of emergency to check conflagrations; boilers used for agricultural purposes only; and steam heating boilers, except boilers located in schoolhouses or boilers owned by municipalities, which carry pressures not exceeding 15 pounds per square inch, constructed and installed in accordance with the rules adopted by the Board of Boiler Rules.

Authority

The Commissioner of Labor and Industry is empowered to administer and enforce the "Boiler Law" and under the direction of the Commissioner, the Division of Boiler Inspections is responsible for the administration of the "Boiler Law" and the boiler rules and regulations adopted by the Board of Boiler Rules which, according to law, is charged with the formulation of rules for the safe and proper construction, installation, repair, use and operation of boilers that come within the scope of the law in this State. The law provides that the rules formulated by the Board of Boiler Rules must conform as nearly as practicable to the Boiler Code of the American Society of Mechanical Engineers (ASME). Said ASME Boiler Code has over the years been accepted as the basic rules governing boilers by 42 states, 37 cities, the District of Columbia and 3 territories of the United States, and by 11 Provinces in the Dominion of Canada.

Board Activities

During the biennium, the Board of Boiler Rules held three public meetings. Bills were prepared which would remove the word "steam" from the Statutes, remove inspection frequencies from the Statutes, and, to provide additional coverage of the low pressure boiler law.
Rule changes pertaining to the licensing of welders were adopted and the latest (1971 Edition) American Society of Mechanical Engineers, Section I Power Boilers, Section III Nuclear Vessels, Section IV Heating Boilers and Section IX Welding were adopted.

The Board appointed an Examining Committee to prepare and administer the examination and licensing of engineers and firemen. The Examining Committee met three times during May and June of 1972, and on June 14, 1972 a trial examination was given to five volunteers from industry to evaluate the program.

Currently the Board membership is as follows:

Chairman Marion E. Martin, Commissioner of Labor and Industry

Kenneth C. Tipper, President, Cascade Woolen Company
Representing boiler owners

LeRoy E. Verrill, Resident Engineer, Hartford Steam Boiler Insurance Co.
Representing insurance companies

Harold W. Akerley, Engineer, The Portland Company
Representing boiler manufacturers

Edward J. Fertig, Ret. Consulting Engineer
Representing operating engineer

Legislative Activities

The following Legislative Bills, affecting the Boiler Division, were acted upon by the 105th Legislature and Special Session:

1. Department Bill: to cover all low pressure boilers except those in private residences and those located in dwellings of less than 6 family units. Did not pass.

2. Department Bill: to remove the word "steam" from the Statutes where it is no longer applicable. Passed.

3. P. U. C. Bill: to remove the Public Utilities Commission exemption from the Boiler Law. Passed.

4. Department Bill--Special Session: to increase certificate fees from $3 to $5. Passed.

5. National Association of Power Engineers Bill: to place the examination and licensing of engineers and firemen under the administration of the Boiler Board. Passed.

Division Activities

Activities of the Division of Boiler Inspections included the field inspection of all uninsured boilers that come within the scope of the law; scrutinizing and processing of inspection reports for all boilers under jurisdiction; billing and collection of fees for boiler inspections and inspection certificates;
issuance of inspection certificates, and general supervision of boiler inspection activities of authorized boiler inspectors employed by insurance companies that insure boilers in this State. Also, examination of applicants, employed by insurance companies, for Certificates of Authority as Authorized Inspector of Steam Boilers, and examination and testing of welders for Certificates of Authority to make welded repairs on steam boilers, and the examination and licensing of engineers and firemen. Shop inspections were also performed on several occasions as a special service, at cost, for various concerns in the State who fabricate unfired pressure vessels in accordance with the Unfired Pressure Vessel Code of the American Society of Mechanical Engineers, as well as field assembly of boiler piping installed by welding.

Obviously, the overall activities of the Division of Boiler Inspections involves extensive travel and field work, as well as keeping detailed records and control of boiler inspections. The operations of this Division are carried out by the Chief Inspector of Boilers, two Deputy Inspectors of Boilers and one office clerk. However, the Chief Inspector of Boilers and the Deputy Inspectors are also engaged in the operation and activities of the Division of Elevator Inspections and must necessarily apportion their time and efforts between the activities of these two Divisions of the Department of Labor and Industry.

Accidents

During the biennium, there were five reportable accidents involving boilers and pressure vessels. Two involved power boilers, two involved heating boilers and one involved a rotary steam digester.

One power boiler accident was caused by an unsafe act on the part of the operator which resulted in $30,000 damage to the boiler and extensive property damage. The second power boiler accident was caused by faulty safety devices on the boiler and resulted in loss of the boiler.

The heating boiler accidents both involved exempt boilers. One was caused by improper installation and resulted in the demolition of a summer home. The other was caused by a defective safety valve and resulted in partial destruction of the boiler.

The final accident involved a steam heated rotary digester. These vessels are exempt from inspection requirements but must be registered with this Department. The accident was caused by faulty repairs and inadequate safety devices. Five persons were injured and the plant was completely destroyed.

General Statistics

The following statistics relate to boilers under jurisdiction during this biennium. The figures are only true on June 30, 1971 and June 30, 1972 because the number of boilers insured and the number of boilers which are State inspected vary from day to day. Also, the number of inspections does not reflect the number of certificates issued because all inspections are not certificate inspections.
Further, these statistics should not be compared with those biennia previous to 68-70, because the format has been changed to agree with the information found on the monthly reports to the Commissioner.

<table>
<thead>
<tr>
<th>1970-71</th>
<th>1971-72</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of High-Pressure Steam Boilers(*)</td>
<td>1240</td>
</tr>
<tr>
<td>Number of Low-Pressure Heating Boilers(**)</td>
<td>2045</td>
</tr>
<tr>
<td>Total Number of boilers under jurisdiction</td>
<td>3285</td>
</tr>
</tbody>
</table>

(*): High-Pressure Steam Boilers are those that carry steam pressures in excess of 15 pounds per square inch.

(**): Low-Pressure Heating Boilers include steam heating boilers that carry pressures not in excess of 15 pounds per square inch; hot water space heating boilers, and hot water supply boilers for furnishing domestic hot water. Low-Pressure Heating Boilers under present jurisdiction are limited to those that are owned by municipalities, or located in schoolhouses, public or private.

The following tabulation relates to insured and uninsured boilers:

<table>
<thead>
<tr>
<th>1970-71</th>
<th>1971-72</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of boiler inspection reports from ins. insp.</td>
<td>3011</td>
</tr>
<tr>
<td>No. of boiler inspection reports from State insp.</td>
<td>341</td>
</tr>
<tr>
<td>Per cent of insp. rep. submitted by ins. co.</td>
<td>89.8</td>
</tr>
<tr>
<td>Per cent of insp. rep. submitted by State</td>
<td>10.2</td>
</tr>
</tbody>
</table>

An insured boiler is inspected by an authorized boiler inspector in the employ of an insurance company which provides boiler explosion coverage on the boiler. Boilers that are not insured are required to be inspected by a State Boiler Inspector from the Division of Boiler Inspections.

The following tabulation shows the number of Certificates of Inspection issued, Inspectors' Certificates of Authority issued, Welder's authorization issued or renewed, and Welder's examinations given.

<table>
<thead>
<tr>
<th>1970-71</th>
<th>1971-72</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boiler Certificates of Inspection</td>
<td>3166</td>
</tr>
<tr>
<td>Inspectors' Certificates of Authority</td>
<td>5</td>
</tr>
<tr>
<td>Welders' Certificates of Authority issued or renewed</td>
<td>327</td>
</tr>
<tr>
<td>Welder's Examinations</td>
<td>236</td>
</tr>
<tr>
<td>Engineers &amp; Firemens Licenses issued or renewed</td>
<td>0</td>
</tr>
<tr>
<td>Engineers &amp; Firemens License examined</td>
<td>0</td>
</tr>
</tbody>
</table>
Summary

The provisions of the 'Boiler Law' together with the Boiler Rules and Regulations adopted by the Board of Boiler Rules provide for reasonable protection of life, limb and property from the inherent hazards related to the use and operation of boilers in general and the benefits derived are generally well recognized with respect to boilers now under the jurisdiction of the law. Without question, the safety of low-pressure heating boilers owned by municipalities, and in schoolhouses, has been markedly improved by the inclusion of these boilers within the scope of the law in recent years.

The potential hazards inherent to the use and operation of low-pressure heating boilers, which includes steam heating boilers that carry pressures not in excess of 15 pounds per square inch, hot water space heating boilers, and hot water supply boilers, are not always recognized nor understood by their users or operators and under certain conditions these boilers can be a menace to everyone in their immediate vicinity, as well as property, due to improper installation and inadequate protective devices. In some instances, such boilers may be operated at pressures or used for purposes for which they are not constructed, or, they may be operated in an unsafe manner or under unsafe conditions, and may be under the care and custody of inexperienced or incompetent persons. The experience resulting from the inspection of low-pressure heating boilers now under jurisdiction (schoolhouse and municipality owned boilers) has served to emphasize the need to include within the scope of the law all low-pressure heating boilers with certain minimum exceptions.

Recommendations

It is recommended that suitable amendments to the 'Boiler Law' be proposed to the next Legislature to:

1. Remove inspection frequency requirements from the Statutes and place this responsibility with the Boiler Board to be incorporated in the Rules. The frequency requirements in the Statutes no longer apply to modern boiler design and fuels and do not provide the necessary flexibility.

2. Amend Sec. 178, T. 26, as enacted by the 105th Legislature, to allow the Board of Boiler Rules to establish Engineer and Firemen License grades. The grades now established under Title 30 are not realistic in present day steam plant operation.
### Division of Boiler Inspections -- Operating Statistics

#### Expenses and Income

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Total Salaries</th>
<th>Total Travel Expenses</th>
<th>All Other Expenses</th>
<th>Total Expenses</th>
<th>Total Income</th>
<th>Operating Deficit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71</td>
<td>$14,964.44</td>
<td>$1,103.91</td>
<td>$997.88</td>
<td>$17,066.23</td>
<td>$14,241.60</td>
<td>$2,824.63</td>
</tr>
<tr>
<td>1971-72</td>
<td>$17,305.60</td>
<td>$1,247.86</td>
<td>$1,015.06</td>
<td>$19,568.52</td>
<td>$16,130.60</td>
<td>$3,437.92</td>
</tr>
</tbody>
</table>

#### Field Inspection Costs

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Man Days</th>
<th>Salaries Charged</th>
<th>Travel Expenses</th>
<th>Total Cost</th>
<th>Number of Inspections</th>
<th>Average Cost Per Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71</td>
<td>74 1/2</td>
<td>$2,414.93</td>
<td>$1,088.50</td>
<td>$3,503.43</td>
<td>490</td>
<td>7.15</td>
</tr>
<tr>
<td>1971-72</td>
<td>56</td>
<td>$2,284.73</td>
<td>$1,173.38</td>
<td>$3,458.11</td>
<td>394</td>
<td>8.78</td>
</tr>
</tbody>
</table>
Elevator Law

The Statutes governing Elevators, Manlifts and Escalators are included in Title 26, Sections 401-467, Revised Statutes of 1964, Amended by Chapters 82 and 313, Sections 1 and 2, Public Laws of 1965; Chapters 208 and 312, Section 1, Public Laws of 1967; Chapter 100, Public Laws of 1969; Chapters 14, 44 and 110, Sections 1 through 4, Public Laws of 1971.

Scope

With the exception of those elevators which are exempt by statute, the provisions of the "Elevator Law" apply to all passenger and freight elevators and to all escalators and manlifts. A passenger elevator is an elevator on which the general public is allowed to ride. A freight elevator is designed for moving freight and only the elevator operator and those persons necessary for freight handling are allowed to ride. An escalator is an inclined moving stairway designed to carry passengers from floor to floor. A manlift is an endless belt fitted with hand grips and foot steps designed to move workmen vertically in manufacturing plants.

Elevators which are exempt from the "Elevator Law" include those on reservations of the Federal Government, or those used for agricultural purposes on farms or those which are located or maintained in private residences as long as they are exclusively for private use.

For the purpose of administration, the term "Elevator" includes escalators and manlifts although these devices do not fall within the definition of elevator.

Authority

The "Elevator Law" of Maine became effective in 1950. Under this law, the Board of Elevator Rules and Regulations was established and empowered to formulate reasonable rules and regulations for the safe and proper construction, installation, alteration, repair, use, operation and inspection of elevators in this State. The necessity and demand for elevator regulations developed following a series of elevator accidents, involving several fatalities, which occurred within the decade immediately preceding the enactment of the law. The Division of Elevator Inspections, under the direction of the Commissioner, is responsible for enforcement of the Law and the Rules and Regulations as adopted by the Board of Elevator Rules and Regulations.

Board Activities

During the biennium, the Board of Elevator Rules and Regulations held three public meetings. The statutes require that the Board meet semi-annually, but in the spring of 1972, there were no appeals and no urgent matters to be resolved, so in the interest of economy, and by mutual agreement, the meeting was waived.
The Board adopted Section 900, ANSI A17.1 for the installation, operation and inspection of escalators and elevators and ANSI A 90.1 for the installation, inspection and operation of manlifts. Other rules adopted were to prevent the installation of wiring, ductwork, piping or ductwork in the hoistways of existing elevators and for the performance and reporting of safety tests. An appeal by a bank to run power supply lines in the hoistway of a passenger elevator was denied.

The current Board members are:

Chairman, Commissioner Marion E. Martin
Department of Labor and Industry

Commissioner Frank M. Hogerty
Department of Insurance

Hal Gosselin, Vice President, Bates Manufacturing Company
Representing elevator owners

Lloyd C. Sawyer, Resident Engineer, Commercial Union Insurance Companies
Representing insurance companies

Ellis S. Hanson, Local Manager, Otis Elevator Company
Representing elevator manufacturers

Recently retired from the Board is Mr. Dana R. Bowker of the C. M. Bowker Company after many years of valuable service to the State and the Department.

A ruling was made by the Attorney General that the Commissioner of Insurance could delegate his seat on the Board, but that the delegate would not have voting power.

Division Activities

The activities of the Elevator Division are carried out by the Supervising Inspector, two Deputy Inspectors and one office clerk, and include examination and approval of plans for all new and altered elevators, inspections of elevators, processing of inspection reports, billing and collection of fees for inspection and inspection certificates, examination of applicants for Certificates of Authority as Inspectors of Elevators, the licensing of elevator mechanics, enforcement of requirements pertaining to elimination of violations, and investigation of elevator accidents. These activities necessarily involve extensive field work and travel as well as the maintenance of detailed records. The Supervising Inspector and the Deputy Inspectors are also engaged in the activities and operation of the Division of Boiler Inspections and must necessarily divide their time and efforts between these two Divisions.

Legislative Activities

The following Legislative Bills affecting the Elevator Division were acted upon by the 105th Legislature and the Special Session.


Elevator Accidents

During the biennium, there were seven elevator accidents reported to the Division. No fatalities were reported. There were three fractured heels resulting from a falling elevator under construction. There was a fractured elbow suffered by a maintenance man while lubricating an elevator. A kitchen worker suffered a fractured foot when he pushed his foot through the car gate while riding a freight elevator. A night watchman suffered a broken nose when he looked through a hoistway gate to see if the elevator car was approaching. A construction foreman opened an elevator hoistway door with an emergency key and fell seventeen feet into the elevator pit. He suffered only multiple bruises and lost the top half on one ear. An elevator serviceman sustained a severe forehead cut when he turned quickly to pull a power disconnect switch. Each was caused by an unsafe act.

Statistics

Following is a compilation of information concerning elevators under inspection.

<table>
<thead>
<tr>
<th></th>
<th>1970-71</th>
<th>1971-72</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. of Freight Elevators</td>
<td>940</td>
<td>936</td>
</tr>
<tr>
<td>No. of Passenger Elevators</td>
<td>576</td>
<td>580</td>
</tr>
<tr>
<td>Insured Elevators, Insp. by Ins. Co.</td>
<td>926</td>
<td>636</td>
</tr>
<tr>
<td>Insured Elevators, Insp. by State</td>
<td>320</td>
<td>517</td>
</tr>
<tr>
<td>Uninsured Elevators, Insp. by State</td>
<td>270</td>
<td>363</td>
</tr>
<tr>
<td>No. of Ins. Reports Received</td>
<td>2,353</td>
<td>1,639</td>
</tr>
<tr>
<td>No. of State Reports Received</td>
<td>1,762</td>
<td>2,408</td>
</tr>
<tr>
<td>Number of Elevators Installed</td>
<td>40</td>
<td>24</td>
</tr>
<tr>
<td>Number of Elevators Removed</td>
<td>19</td>
<td>10</td>
</tr>
<tr>
<td>No. of Elevator Insp. Examined</td>
<td>2</td>
<td>10</td>
</tr>
<tr>
<td>No. of Elevator Mechanics Examined</td>
<td>8</td>
<td>3</td>
</tr>
<tr>
<td>No. of Mechanics Licenses Issued or Renewed</td>
<td>67</td>
<td>61</td>
</tr>
</tbody>
</table>

-38-
Passenger elevators are inspected every three months and freight elevators, escalators and manlifts are inspected every six months. All inspection reports and a report of the required annual test of the car safety device are submitted to the Division for processing before a Certificate of Inspection is issued allowing legal operation of an elevator, escalator or manlift.

Summary

The Elevator Division and the elevator inspection activities in general are in a period of transition at this time. This transition is a result of two related causes. One, the insurance companies are now writing package policies which means that if a location is insured, the elevator is automatically covered. This means that the former high premium for elevator insurance is now lost in the overall premium for the location. Secondly, with today's high cost of travel for a field man, the insurance companies are finding that the cost of maintaining an elevator inspector in the field far outweighs the premium fees they are allowed to charge. Whatever the reason, the insurance companies are gradually turning over their inspection work to the State.

For many years, only about 10% of the elevators in Maine were state inspected. These were the uninsured elevators and those insured by small insurance companies who did not employ inspectors. The division now inspects over 50% of the elevators and that percentage is growing daily.

Recommendations

We have no specific recommendations to offer during this transition period. Due to volume, our inspection costs should hold even though expenses are rising and at $10 per inspection, a field man can earn his salary and expenses.

One great advantage of state inspection is the complete control of inspection frequency, continuity and standards which results in increased safety of elevators, which, is our reason for being.
# Division of Elevator Inspections -- Operating Statistics

## Expenses and Income

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Salaries</th>
<th>Total Travel Expenses</th>
<th>All Other Expenses</th>
<th>Total Expenses</th>
<th>Total Income</th>
<th>Operating Deficit</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71</td>
<td>$27,923.20</td>
<td>$3,092.89</td>
<td>$591.50</td>
<td>$31,607.59</td>
<td>$24,356.00</td>
<td>$7,251.59</td>
</tr>
<tr>
<td>1971-72</td>
<td>$29,890.92</td>
<td>$3,652.54</td>
<td>$1,176.73</td>
<td>$34,720.19</td>
<td>$30,080.00</td>
<td>$4,640.19</td>
</tr>
</tbody>
</table>

## Field Inspection Costs

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Days</th>
<th>Salaries Charged</th>
<th>Travel Expenses</th>
<th>Total Cost</th>
<th>Number of Calls</th>
<th>Average Cost Per Call</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71</td>
<td>282 1/2</td>
<td>$10,279.13</td>
<td>$3,092.89</td>
<td>$13,372.02</td>
<td>2,059</td>
<td>6.49</td>
</tr>
<tr>
<td>1971-72</td>
<td>350 5/8</td>
<td>$14,058.26</td>
<td>$3,652.54</td>
<td>$17,710.80</td>
<td>2,594</td>
<td>6.83</td>
</tr>
</tbody>
</table>

A "call" as itemized above, includes inspections, safety test, spot checking, insured elevators, checking code violations and accident investigations.
Authority for safety inspections made by the Industrial Safety Division is included in Sections 44; 45; 373A and 567 of Title 26, R. S. 1964 as amended.

The Industrial Safety Division is responsible for employee safety in factories; workshops; and construction activities excluding only employment exempt by Section 45A of Title 26, R. S. 1964 as amended.

Safety rules and standards enforced by the division are formulated and adopted by the Board of Construction Safety Rules and Regulations established by Section 372; and the Board of Occupational Safety Rules and Regulations established by Section 564, Title 26, R. S. 1964 as amended; after publication and public hearing.

The Industrial Safety Division operated during the biennium with a director, two industrial safety inspectors, one construction safety inspector, an occupational safety engineer, and a clerk stenographer. The occupational safety engineer was hired in November of 1970 under authority granted by the Special Session of the 104th Legislature.

The division has no income from its activities.

Legislation

The 105th Legislature made an important change in the safety sections of the Labor Laws of Maine by amending sections 373 and 567 of Title 26, M.R.S.A. 1964 as amended. Prior to these amendments an employer was not construed to be in violation of a safety standard unless the violation or unsafe condition had been found upon inspection, ordered corrected, and the order was not obeyed.

The amended sections now provide that an employer is in violation as soon as the unsafe condition is found "or" if he refuses to obey an order of the Commissioner.

The Special Session of the 105th Legislature in 1972 authorized the Industrial Safety Division to hire as of July 1, 1972 five (5) additional safety inspectors necessary to meet Federal Occupational Safety and Health Administration criteria.

Industrial Safety Inspections

During the fiscal year 1970-1971, the division made 1742 industrial safety inspections and 1624 construction safety inspections.

During the fiscal year 1971-1972, the division made 1218 industrial safety inspections and 1322 construction safety inspections.
Starting late in 1971 the division has assigned one inspector to cooperate closely with the Federal inspectors and 60 joint inspections have been made. Joint inspections for a period of time will be necessary because, we, at the state level, must determine how the Federal inspectors will interpret many of the safety standards and how they will react to certain violations in the matter of abatement time permitted.

Through the biennium, industrial plants having work injury frequency above the state average for that industrial classification were scheduled for inspection by the safety engineer on a quarterly basis. Industrial plants having an average state frequency were scheduled for an annual inspection.

The addition to our staff of the safety engineer has permitted the division to offer safety engineering services to Maine industry and also to conduct safety training programs.

Construction Safety

The construction division inspects for compliance with safety standards adopted by the State of Maine Construction Safety Rules and Regulations Board. Orders for Compliance are issued to cover safety code violations found upon inspection. Serious hazards, such as unshored trenches, are ordered corrected immediately. Reasonable abatement periods are allowed for the less serious type of violation.

The construction industry within the state was inspected by one full time inspector with assistance given by the safety engineer on many of the larger construction sites.

The Construction Safety Rules and Regulations Board has considered adopting the Federal Safety and Health Standards for Construction but has not yet done so because of the frequent changes made in the standards since they were printed. An updated reprint of the Federal standards is expected in the near future and it is believed the Construction Board will then move to repeal the existing state safety standards and adopt the Federal Standards.

Occupational Safety

The Governor appointed Commissioner Marion E. Martin as Federal Co-ordinator for the Federal Occupational Safety and Health Act. She contracted with the Overseas Development Corp. to develop a State Plan as required by the Act.

The Division has been co-operating with the Planner in preparing the State Plan required by the Occupational Safety and Health Administration.

If the State Plan is approved, the State of Maine will be granted temporary safety jurisdiction for a period of three (3) years. During this three (3) year period, the State, if it is to maintain occupational safety jurisdiction, must then take necessary legislative and administrative action to meet all criteria established by the Occupational Safety and Health Administration.

During 1970 and 1971, the Occupational Safety Rules and Regulations Board adopted the following safety codes after public hearings: Mechanical Power Transmission Apparatus; Pulp, Paper, and Paperboard Mills; Shoe Manufacturing;
Following publication of safety standards adopted by the Occupational Safety and Health Administration and in order for the State of Maine to have standards at least equal to the Federal standards, the Occupational Safety Rules and Regulations Board on November 5, 1971 voted to repeal the existing Maine safety standards, other than those for the Shoe Manufacturing Industry and the Regulations for Filling, Handling, Mixing, and Draining of Chemicals, voted to adopt after public hearing the following sections of the standards adopted by the Occupational Safety and Health Administration published in the Federal Register, Part II, of May 29, 1971, Volume 36, Number 105:


Subpart F: Sections 1910.66; 1910.67.


Subpart J: Sections 1910.144; 1910.145.

Subpart K: Section 1910.151.


Subpart P: Sections 1910.241; 1910.242 with additional section (d) to read: "A safety tire rack, cage, or equivalent protection shall be provided and used when inflating, mounting, or dismounting tires installed on split rims, or rims equipped with locking rings or similar devices".

Subpart Q: Sections 1910.251; 1910.252.

Subpart R: Sections 1910.261; 1910.262; 1910.263; 1910.264; 1910.265; 1910.266 with following change. Repeal (a) (1) and replace with new (a) (1) to read: "Scope. This standard establishes safety practices for logging operations to include but not limited to the operations of felling, limbing, marking, bucking, loading, skidding, prehauling, and other operations associated with the preparation and movement of timber from the stump to and including the point of delivery".

No action taken on the following Federal Standards for reasons indicated:

Subpart E: Rules covered by those of the Fire Prevention Division of the Insurance Department.

Subpart F: Section 1910.68 (Manlifts). Rules covered by Elevator Division of the Department of Labor and Industry.
Subpart G: Rules covered by Health and Welfare Department.

Subpart H: Section largely covered by rules of the Fire Prevention Division of the Insurance Department.


Subpart L: Covered by rules of the Fire Prevention Division of the Insurance Department.

Subpart S: Have previously adopted National Electric Code.

Other Field Visits

In addition to plant and construction inspection visits were made for the following purposes:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accident Investigations</td>
<td>28</td>
<td>21</td>
<td>49</td>
</tr>
<tr>
<td>Interviews</td>
<td>27</td>
<td>16</td>
<td>43</td>
</tr>
<tr>
<td>Safety Meetings</td>
<td>18</td>
<td>111</td>
<td>129</td>
</tr>
<tr>
<td>Schools and Institutions</td>
<td>95</td>
<td>3</td>
<td>98</td>
</tr>
<tr>
<td>Total</td>
<td>168</td>
<td>151</td>
<td>319</td>
</tr>
</tbody>
</table>

Recommendations

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial Safety</td>
<td>2839</td>
<td>4868</td>
<td>7707</td>
</tr>
<tr>
<td>Construction</td>
<td>697</td>
<td>682</td>
<td>1379</td>
</tr>
<tr>
<td>Total</td>
<td>3536</td>
<td>5550</td>
<td>9086</td>
</tr>
</tbody>
</table>

Accident Experience - Work Injuries

<table>
<thead>
<tr>
<th>Work Injury Frequency</th>
<th>Manufacturing</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Calendar Year 1970</td>
<td>21.7</td>
<td>29.5</td>
</tr>
<tr>
<td>Calendar Year 1971</td>
<td>NA</td>
<td>NA</td>
</tr>
</tbody>
</table>
The Director has accepted invitations to speak to 97 groups and associations on the Occupational Safety and Health Act and the Maine Plan.

In addition, the Department in cooperation with the Chamber of Commerce throughout the State has completed in June 1972 a series of 20 evening meetings to acquaint the public with the Occupational Safety and Health Act. A meeting has been held at least once in every county of the State. The Research and Statistics Division of the Department has worked with the Industrial Safety Division in the presentation of these seminars by setting forth the Recordkeeping Requirements. Attendance at these meetings totaled 1,503.

The occupational safety engineer conducted a safety training course for Construction Supervisors in September 23, 1971, at the Maine State Safety Conference, Shawmut Inn, Kennebunkport. A repeat of this training course was presented in cooperation with the Associated General Contractors of Maine in January 1972 in Portland and at Presque Isle in April 1972.

Maine State Safety Conference

The Maine State Safety Conference is under the auspices of the Maine State Safety Conference Committee composed of representatives from employers, the public and the Department.

The 43rd Maine State Safety Conference was held October 1 and 2, 1970, at the Shawmut Inn, Kennebunkport, with a signed registration of 386.

The 44th Maine State Safety Conference was also held at the Shawmut Inn, Kennebunkport, on September 23 and 24, 1971. Signed registration was 416. The Conference continues to have many attendees who fail to register. The Conference is self-supported by exhibitor fees and delegates’ registration fees. There is no direct cost to the State except the Chairman's, the Secretary's (Industrial Safety Director), and the clerk stenographer's time devoted to arrangements and our staff time during the Conference.

The income of the 43rd Conference exceeded costs by $80.00. The Conference Committee has a balance in its accounts of $1,615.00.

The income of the 44th Conference exceeded costs by $955, making a balance on July 1, 1972 of $2,570.00.

-45-
Cost Per Inspection

It is expected that the cost per inspection will increase due to the fact that inspections and report writing for compliance with the new safety standards are more detailed and time consuming.

<table>
<thead>
<tr>
<th>Total Cost Per Inspection</th>
<th>Travel Cost Per Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 7.929</td>
<td>$12.773</td>
</tr>
<tr>
<td>$2.307</td>
<td>$4.251</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>$47,344.50</td>
<td>$56,750.30</td>
<td>$104,094.80</td>
</tr>
<tr>
<td>Travel - In State</td>
<td>9,767.64</td>
<td>9,946.04</td>
<td>19,713.68</td>
</tr>
<tr>
<td>Travel - Out of State</td>
<td>128.15</td>
<td></td>
<td>128.15</td>
</tr>
<tr>
<td>Total Travel</td>
<td>9,895.79</td>
<td>9,946.04</td>
<td>19,841.83</td>
</tr>
<tr>
<td>Operating Balance</td>
<td>1,034.93</td>
<td>1,065.66</td>
<td>2,100.59</td>
</tr>
<tr>
<td>Total Operating Comodities</td>
<td>10,930.72</td>
<td>11,011.70</td>
<td>21,942.42</td>
</tr>
<tr>
<td>Total All Other</td>
<td>11,508.03</td>
<td>11,445.76</td>
<td>22,953.79</td>
</tr>
<tr>
<td>Capital Equipment</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Expenditures</td>
<td>58,852.53</td>
<td>68,196.06</td>
<td>127,048.59</td>
</tr>
</tbody>
</table>
To: Miss Marion E. Martin, Commissioner of Labor and Industry  
From: Miss Madge E. Ames, Director of Minimum Wage, Women and Child Labor  
Re: Biennial Report, July 1, 1970 - June 30, 1972

The most significant changes in the work of this Division during the biennium were the result of amendments enacted by the Maine Legislature during the regular session in 1971 to the minimum wage and overtime statutes. The minimum wage was increased to $1.80 an hour, effective September 23, 1971, a rate higher than that required under the Federal Fair Labor Standards Act, the first time this has ever happened in Maine. The confusion caused by this change was further compounded by the Presidential wage freeze which took effect just a few weeks prior to the minimum wage increase date. This was resolved at the zero hour and the increase went into effect as scheduled but as a result of the apparent conflict, many employers failed to get the message in time and owed back wages.

Another important statutory change was extension of minimum wage coverage to employers of fewer than four persons in one day at a rate of $1.40 an hour, to be increased annually by 20 cents an hour until it equalled the higher minimum required of larger enterprises.

Perhaps even more significant to small businesses was the application, regardless of the number of employees, of premium pay for overtime after forty hours in any week. Many small businesses did not understand that this applied to them and were caught owing considerable amounts of back wages.

In order to facilitate the enforcement of these changes and extension of coverage, the Legislature authorized employment of two additional labor investigators. However, this did not take effect until the second year of the biennium, or July 1, 1972, so that during the crucial first months of the changes, the work was being done by the regular staff which, unfortunately was down to three men for part of the time because of a compulsory retirement and the delay in getting an eligible register through the cumbersome Personnel Department process.

During the first year of this biennium, the number of minimum wage and overtime violations found by investigators dropped to 271, but with the extension of coverage to small businesses and change to a 40-hour week, the number increased to 411 in the second year of the biennium. The average amounts owed by individual employers were smaller because we were dealing with businesses which employed fewer than four persons. In the first year, back wages were computed as $33,729.28, and in the second year $44,778.30, of which more than half was overtime.

Passage of the Civil Rights Act of 1964 which prohibits discrimination in employment on account of sex has resulted in an erosion of the laws which most states had enacted to protect women in their employment. In some states, the courts have ruled that these laws are in conflict with the Civil Rights Act and therefore void; in other states, the laws have been repealed by state legislatures or declared invalid by state attorneys general. No such action has taken place in Maine as yet.

-47-
There has been no increase as a result of this possible conflict in laws in the number of instances of women working beyond the hours permitted by Maine law. In the year ending June 30, 1971, the investigators found 145 cases of women working beyond the legal limits, and in the next year, only 110. There has been some increase in the number of violations in hotels and restaurants where there is no requirement for the payment of premium pay for overtime, but the requirement of time-and-a-half after 40 hours tends to keep the hours down in other industries for both men and women. If the time comes, as seems likely, that Maine's maximum-hour laws are legally invalidated, the overtime requirements should be extended to restaurants and hotels.

It has been the experience of this department that few women feel discriminated against because they cannot work beyond 50 or 54 hours a week. In fact, the overtime complaints which come to us are from employees who do not wish to work beyond 40 hours a week. On the other hand, a number of employers are interested in working women more than 50 or 54 hours, which leads us to believe that removal of the maximum-hour provisions could lead to the type of abuse which prompted enactment of the laws in the first place.

The number of work permits processed for employment of workers under 18 years of age usually reflects the overall employment situation. There was a sharp drop in the number processed during the first year of this biennium and the second year was about the same until the spring of 1972 when the number began to increase. Shoe plants continue to decline as employers of young people but retail and service jobs are moving slightly upward. It would be presumptuous to make any predictions for the future based on these meager facts but the last two months of the biennium were encouraging.
### Division of Minimum Wage, Women and Child Labor

**Biennial Report**

**Work Permits and Certificates of Age Approved**

<table>
<thead>
<tr>
<th>Form</th>
<th>Male 1971</th>
<th>Female 1971</th>
<th>Male 1972</th>
<th>Female 1972</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificates of Age (16-18 years of age)</td>
<td>2,323</td>
<td>1,713</td>
<td>2,152</td>
<td>1,698</td>
</tr>
<tr>
<td>Work Permits (Under 16)</td>
<td>1,279</td>
<td>1,016</td>
<td>1,462</td>
<td>1,288</td>
</tr>
<tr>
<td>Special Permits (Mentally retarded)</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Total</td>
<td>3,603</td>
<td>2,729</td>
<td>3,614</td>
<td>2,986</td>
</tr>
</tbody>
</table>

### Placement

<table>
<thead>
<tr>
<th>Industry</th>
<th>Male 1971</th>
<th>Female 1971</th>
<th>Male 1972</th>
<th>Female 1972</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canning &amp; Freezing</td>
<td>472</td>
<td>439</td>
<td>448</td>
<td>481</td>
</tr>
<tr>
<td>Children's Camps</td>
<td>57</td>
<td>30</td>
<td>44</td>
<td>32</td>
</tr>
<tr>
<td>Clothing</td>
<td>28</td>
<td>68</td>
<td>20</td>
<td>63</td>
</tr>
<tr>
<td>Construction</td>
<td>86</td>
<td>0</td>
<td>83</td>
<td>1</td>
</tr>
<tr>
<td>Hospitals &amp; Nursing Homes</td>
<td>57</td>
<td>141</td>
<td>52</td>
<td>138</td>
</tr>
<tr>
<td>Laundries</td>
<td>6</td>
<td>23</td>
<td>16</td>
<td>26</td>
</tr>
<tr>
<td>Poultry Processing</td>
<td>419</td>
<td>213</td>
<td>436</td>
<td>256</td>
</tr>
<tr>
<td>Restaurants</td>
<td>527</td>
<td>580</td>
<td>525</td>
<td>673</td>
</tr>
<tr>
<td>Shoes</td>
<td>616</td>
<td>597</td>
<td>551</td>
<td>454</td>
</tr>
<tr>
<td>Sporting &amp; Overnight Store</td>
<td>49</td>
<td>45</td>
<td>24</td>
<td>44</td>
</tr>
<tr>
<td>Stores</td>
<td>581</td>
<td>280</td>
<td>590</td>
<td>360</td>
</tr>
<tr>
<td>Tanning</td>
<td>30</td>
<td>8</td>
<td>36</td>
<td>7</td>
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<tr>
<td>Textile</td>
<td>175</td>
<td>103</td>
<td>126</td>
<td>72</td>
</tr>
<tr>
<td>Wood Products</td>
<td>82</td>
<td>3</td>
<td>68</td>
<td>14</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>418</td>
<td>199</td>
<td>595</td>
<td>365</td>
</tr>
<tr>
<td>Total</td>
<td>3,603</td>
<td>2,729</td>
<td>3,614</td>
<td>2,986</td>
</tr>
</tbody>
</table>
OPERATING STATEMENT  
DIVISION OF MINIMUM WAGE, WOMEN AND CHILD LABOR  
(Appropriation 3410 - Activity 20)

<table>
<thead>
<tr>
<th>Category</th>
<th>1970-71</th>
<th>1971-72</th>
<th>Total Biennium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$55,574.50</td>
<td>$57,208.42</td>
<td>$112,782.92</td>
</tr>
<tr>
<td>Travel</td>
<td>10,264.36</td>
<td>9,860.37</td>
<td>20,124.73</td>
</tr>
<tr>
<td>All Other</td>
<td>1,736.26</td>
<td>3,562.85</td>
<td>5,299.11</td>
</tr>
<tr>
<td></td>
<td>$67,575.12</td>
<td>$70,631.64</td>
<td>$138,206.76</td>
</tr>
<tr>
<td>Appropriation</td>
<td>68,540.00</td>
<td>68,994.00</td>
<td>137,534.00</td>
</tr>
</tbody>
</table>

INSPECTION COSTS

<table>
<thead>
<tr>
<th></th>
<th>Man Days</th>
<th>Salary</th>
<th>Travel</th>
<th>Total</th>
<th>No. of Calls</th>
<th>Cost per Inspection</th>
</tr>
</thead>
<tbody>
<tr>
<td>1970-71</td>
<td>905</td>
<td>$28,466.75</td>
<td>$10,123.71</td>
<td>$38,590.46</td>
<td>8,765</td>
<td>$4.40</td>
</tr>
<tr>
<td>1971-72</td>
<td>793</td>
<td>$26,516.40</td>
<td>$9,659.77</td>
<td>$36,176.17</td>
<td>7,455</td>
<td>$4.81</td>
</tr>
</tbody>
</table>
The Public Employees Labor Relations Appeals Board heard seven appeals from
the determination of the Commissioner of Labor and Industry:

1. **Council No. 74 vs. S.A.D. #54**-

   The Board decided that until such time as the Commissioner
   rendered a written decision in any matter and filed with the
   Board that the Board was without jurisdiction to consider
   the matter.

2. **Medemill Teachers Association vs. East Millinocket
   School Committee**-

   The Board decided that a school nurse had no community of
   interest among teachers sufficient to include her in the
   bargaining unit for teachers.

3. **A.F.S.C.M.E., A.F.L.-C.I.O. Council No. 74 vs. the Town of
   Cape Elizabeth Police Department**-

   The Board decided that an infraction of the statutes known
   two days prior to an election but not objected to until after
   the election was not a timely basis for an objection, challenge
   or protest to the election outcome.


   The Board decided that it was without jurisdiction under
   the statute to entertain a complaint for unfair labor practices.

5. **The Caribou Board of Education vs. the Caribou Teachers
   Association**-

   The Board decided that a guidance counselor did not have
   a clear and identifiable community of interest sufficient to
   entitle him to be included in a teachers association.

6. **Maine Teachers Association vs. Marion E. Martin, Commissioner
   of Labor and Industry**-

   The Board decided that Rule 6 as issued by the Commissioner
   must stand unaltered as being necessary and appropriate for
   carrying out the purposes of Section 967.
7. The Board of Finance and the Fire Commission of the City of Lewiston vs. Lewiston Fire Department, Unit B-

The Board decided that the President of Local 785 could not, without the express written authorization from the Board of Finance and the Fire Commission of the City of Lewiston, execute P.E.L.R. Form No. 1 to render valid a subsequent election for the determination of a bargaining agent and certification of same.

PUBLIC EMPLOYEES LABOR RELATIONS APPEALS BOARD

BY: S/ David F. Aldrich
Chairman
Maine law requires employers to pay all wages earned by any employees "within a reasonable time" after termination of employment. No distinction is made between voluntary and involuntary terminations. Included in the final payment must be any vacation pay which has been earned by the employee.

What constitutes "a reasonable time" may vary somewhat with the situation; i.e., a computer payroll or a payroll which is made up in another area in the State or outside the State of Maine may cause a delay of 24 to 48 hours. Delays beyond this are not considered to be reasonable.

Complaints which come to this desk fall generally into four categories: (1) being told to wait until next payday for last check which could be a week or more, (2) being told would not be paid because of debt owed to employer, (3) not being paid at all because of financial difficulties of the employer, and (4) vacation earned not being paid.

The largest number of complaints come in by telephone and are resolved by telephone, many times being the result of ignorance of the legal requirements. Other complaints require field visits and occasionally, prosecutions.

The legal remedy as far as this office is concerned is a criminal action for failure to pay wages. This does not necessarily result in the payment of the wages, and for this reason, is used sparingly. Following such criminal action, it may still be necessary for the employee to take civil action on his own. Many complainants are advised to file a claim under the Small Claims Act which does not necessitate employment of an attorney. The ceiling for claims under that Act is $200.

### Payment of Wage

For the Year July 1, 1970 to July 1, 1971

<table>
<thead>
<tr>
<th>Description</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Complaints</td>
<td>321</td>
</tr>
<tr>
<td>By visit or telephone</td>
<td>220</td>
</tr>
<tr>
<td>By letter</td>
<td>101</td>
</tr>
<tr>
<td>Number of Investigations</td>
<td>219</td>
</tr>
<tr>
<td>Payment of Wage</td>
<td>219</td>
</tr>
<tr>
<td>Minimum Wage</td>
<td>0</td>
</tr>
<tr>
<td>Others</td>
<td>0</td>
</tr>
<tr>
<td>Number of Prosecutions</td>
<td>3</td>
</tr>
<tr>
<td>Payment of Wage</td>
<td>3</td>
</tr>
<tr>
<td>Others</td>
<td>0</td>
</tr>
</tbody>
</table>
For the Year July 1, 1971 to July 1, 1972

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of Complaints</strong></td>
<td></td>
</tr>
<tr>
<td>By visit or telephone</td>
<td>491</td>
</tr>
<tr>
<td>By letter</td>
<td>171</td>
</tr>
<tr>
<td><strong>Number of Investigations</strong></td>
<td></td>
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<tr>
<td>Payment of Wage</td>
<td>340</td>
</tr>
<tr>
<td>Minimum Wage</td>
<td>9</td>
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<tr>
<td>Others</td>
<td>0</td>
</tr>
<tr>
<td><strong>Number of Prosecutions</strong></td>
<td></td>
</tr>
<tr>
<td>Payment of Wage</td>
<td>4</td>
</tr>
<tr>
<td>Others</td>
<td>1</td>
</tr>
</tbody>
</table>

- 662 complaints filed in total
- 349 investigations conducted in total
The statutes under which the Division of Research and Statistics operates are as follows: Sections 42 - 44, 46 - 47, Title 26, Revised Statutes of 1964, as amended by Sections 1 and 2, Chapter 406, Public Laws of 1965; and Chapter 403, Public Laws of 1967.

Operations - (Activity 15)

The Division of Research and Statistics, as in the past, has continued to serve as a statistical data center for information on the manufacturing economy of the State. Members of this division have compiled statistics for its own and other state departments, and, in addition, have filled all valid requests for available information received from the public.

During the past biennium, the Division of Research and Statistics has continued to carry on under Activity 15 the following programs:

Directory of Maine Manufacturers

The final draft of the 1970-71 edition of the Maine Buyers' Guide and Directory of Maine Manufacturers was completed and submitted to the Department of Economic Development for publication. This biennial publication is a listing of all firms classified as manufacturing, with the exception of logging and sawmill operations, and includes the name and address, the product, the employment by size code of each firm, and the Standard Industrial Classification code number. It is the responsibility of the Division of Research and Statistics to assemble the information and statistics extracted from schedules received in the annual Census of Maine Manufactures survey for publication. The Department of Economic Development in turn prepares the art work for publication, pays all publishing costs, and handles the actual distribution of the directory.

Census of Maine Manufactures

The data extracted from the schedules received in the Census of Maine Manufactures survey continues to be important in any analysis of Maine's manufacturing economy. Over 2,100 firms are surveyed relative to their value of product, gross wages, number of workers, workers covered by union contract, capital expenditures, value of goods shipped out of state and to foreign countries and Federal government contracts. The data received is summarized for the entire State and then tabulated by county, civil division, economic area, plant size and major and subordinate industrial classifications. These tabulations are published in our annual Census of Maine Manufactures and approximately 1,500 copies are distributed by this Department and the Department of Economic Development.
Industrial Injury Program

Cooperative Program

During the first year of the biennium, the industrial injury program was conducted in cooperation with the Bureau of Labor Statistics, U.S. Department of Labor. In this program, injury data was collected from approximately 1,500 manufacturing and 6,000 non-manufacturing firms. The data was summarized, and injury frequency and severity rates were computed for major and selected subordinate industrial classifications. The rates and other pertinent data were published in our Maine Industrial Injuries 1970.

Occupational Safety and Health Program (OSHA)

On December 29, 1970, the Williams-Steiger Occupational Safety and Health Act of 1970 was signed into law and became effective April 28, 1971. The purpose of this law is to assure safe and healthful working conditions for the nation's workers, and the U.S. Department of Labor was assigned the primary responsibility for administering the Act. On March 17, 1971, Kenneth M. Curtis, Governor of the State of Maine, designated Miss Marion E. Martin, Commissioner, Department of Labor and Industry, to work with the U.S. Department of Labor in administering the provisions of the Occupational Safety and Health Act, in Maine. The Director of the Division of Research and Statistics was delegated the responsibility for the Injury and Illness Statistics program.

Since provisions of the Act covered the granting of Federal funds to the States to assist them in their statistical programs, application was made by the Director for grants under Section 23a and 24(b) (2) of the Act. Subsequently, these grants were approved by the Bureau of Labor Statistics, U.S. Department of Labor, and the Maine Department of Labor and Industry received a total of $37,943 in Federal money. The breakdown of these grants was as follows:

<table>
<thead>
<tr>
<th>Authority</th>
<th>Total</th>
<th>Federal Share</th>
<th>State Share (In-Kind Services)</th>
</tr>
</thead>
<tbody>
<tr>
<td>P.L. 91-596</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23(a)</td>
<td>$16,847</td>
<td>$13,770</td>
<td>$3,077</td>
</tr>
<tr>
<td>23(a)Ext.</td>
<td>14,148</td>
<td>11,907</td>
<td>2,241</td>
</tr>
<tr>
<td>24(b) (2)</td>
<td>24,748</td>
<td>12,266</td>
<td>12,482</td>
</tr>
<tr>
<td></td>
<td>$55,743</td>
<td>$37,943</td>
<td>$17,800</td>
</tr>
</tbody>
</table>
Scope and Objective of Federal Grants

23(a) To provide the State with planning information necessary for the initiation of a comprehensive statistical program and the eventual inclusion of the State in the Federal-State Cooperative Safety and Health Statistics program.

23(a) Ext. Continuation of 23(a).

24(b)(2) To revise Maine's injury and illness statistics program so that it will meet the requirements of the Occupational Safety and Health Act, and supply the needs of the Federal and State governments in this area.

Occupational Wage Survey

The 1971 Occupational Wage Survey schedules were mailed to 503 selected manufacturing firms employing 25 or more, and wage data was obtained from 450 usable returns. This data was then summarized and the minimum, mean, median, and maximum hourly rates for certain positions were calculated. The preliminary draft of the Occupational Wage Survey publication was then prepared and submitted to the Department of Economic Development who prepares the art work and handles the publishing. All publication costs are paid by the Department of Economic Development, and the distribution of the publication is a joint effort by the Department of Labor and Industry and the Department of Economic Development.

Boiler and Elevator Program

This Division assists the Boiler and Elevator Division in control of boiler and elevator inspections. Although the keypunching is actually performed by that Division, the tabulation of overdue inspection lists are a function of the Division of Research and Statistics, and this is accomplished by the use of our data processing equipment.

Directory of Labor Organizations

Since the initiation of this program, the demand for this publication has shown considerable increase, and the directory is now compiled on an annual basis. This publication lists all labor organizations carried in our file, along with the names, address and telephone numbers of the officials of each organization.
Operations - (Activity 55)

Minimum Wage on State Construction Projects

Survey schedules were mailed to approximately 1,150 construction firms employing five or more construction workers, and returns were received from approximately 1,000 firms, or 87.0% of those surveyed. The wage rates paid to construction workers were extracted from these reports and used as a basis for the predetermined of the minimum wage rate to be paid construction workers on State contracts of $10,000 or more. During 1971, there were minimum wage determinations made for 125 construction projects. Specific wage rates were appealed in three determinations. Two of these were withdrawn at the meeting of the Minimum Wage Rate on Construction Projects Board, and the remaining one was upheld.

Operating Expenditures

Total operating expenditures for Activity 15 and 55 in the Division of Research and Statistics increased $34,688.84, or 38.7%, from $89,654.12 in the 1968-70 biennium to $124,342.96 in the 1970-72 biennium. The breakdown of the expenditures may be seen in the operating statement below.

Operating Statement

Division of Research and Statistics
(Appropriation 1155 - Activities 1015 and 1055)

<table>
<thead>
<tr>
<th>Category</th>
<th>1970-71</th>
<th>1971-72</th>
<th>Total Biennium</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$43,046.74</td>
<td>$49,587.20</td>
<td>$92,633.94</td>
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<tr>
<td>Professional Fees</td>
<td></td>
<td>12,500.00</td>
<td>12,500.00</td>
</tr>
<tr>
<td>Travel</td>
<td>418.42</td>
<td>2,211.24</td>
<td>2,629.66</td>
</tr>
<tr>
<td>All Other (Excluding Travel)</td>
<td>4,504.05</td>
<td>6,534.29</td>
<td>11,038.34</td>
</tr>
<tr>
<td>Capital</td>
<td>330.00</td>
<td>5,211.02</td>
<td>5,541.02</td>
</tr>
<tr>
<td></td>
<td>$48,299.21</td>
<td>$76,043.75</td>
<td>$124,342.96</td>
</tr>
</tbody>
</table>

1/ Includes Federal Grant money received during 1971-72
To: Miss Marion E. Martin, Commissioner of Labor and Industry  
From: Mrs. Marguerite M. Crane, Agreements Clerk, Workmen's Compensation Div.  
Re: Biennial Report, July 1, 1970 - June 30, 1972

The Statute governing the Workmen's Compensation Act is found in Title 39, MRSA, 1964, as amended, Sections 1 through 4; 21 through 28; 51 through 71 and 91 through 110 with the Occupational Disease Law covered in the same Title under Sections 181 through 195. Title 25, MRSA 1964, Section 1081 covers Military Personnel; Sections 323 of the same Title covers all members of Civil Defense; whereas, Section 1506 under this Title covers State Police. Section 1507 of Title 34 and Section 680 of Title 5 covers other State personnel.

The approval of Workmen's Compensation Agreements is authorized by Section 94 of Title 39, MRSA 1964, as amended.

On September 3, 1971, Mrs. Marion Pine, former Agreements Clerk, retired from State service. I was employed in this Department on August 23, 1971, after working in the Bureau of Taxation for almost twenty years, and worked with Mrs. Pine for two weeks prior to her retirement.

The work load for this biennium surpassed the last biennium by 727 cases. There were 363 additional cases approved as opposed to the last biennium. 562 more letters were written requesting corrections in this biennium which were mostly after January 1, 1972, due to a change in Statute and all carriers were requested to add such change on each Agreement for injuries occurring on and subsequent to January 1, 1972. This change would increase the compensation rate percentage wise on July 1, 1972, for injured employees who were still disabled.

As of January 1, 1972, a Wage Statement was required to accompany all Agreements. Formerly, this was not required of those which paid the maximum allowable rate but with the change in Workmen's Compensation law which adjusts the payments to the new annual rates, such wage statements were made necessary. This requirement adds to the paper work and the work load of this activity.

By refusing to approve the Agreements for Compensation until the files are in order in every respect, corrections on the Agreements increased payments to claimants by at least $14,425 and $8,483 for the calendar years 1970 and 1971, respectively. On the other hand, corrections reducing the compensation rate resulted in savings to the insurance companies of approximately $8,240 and $5,348 for the calendar years 1970 and 1971, respectively.

SUMMARY OF CASES PROCESSED

<table>
<thead>
<tr>
<th></th>
<th>Total Handled</th>
<th>Agreements Approved</th>
<th>Letters Written</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 1970 - June 30, 1971</td>
<td>7,728</td>
<td>4,951</td>
<td>2,877</td>
</tr>
<tr>
<td>July 1, 1971 - June 30, 1972</td>
<td>9,022</td>
<td>5,056</td>
<td>4,064</td>
</tr>
<tr>
<td>Total for Biennium</td>
<td>16,750</td>
<td>10,007</td>
<td>6,941</td>
</tr>
</tbody>
</table>

-59-
### OPERATING STATEMENT
(Appropriation 1155 1045)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Services</td>
<td>$8,215.00</td>
<td>$9,757.16</td>
<td>$17,972.16</td>
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<tr>
<td>Travel</td>
<td>22.57</td>
<td>22.57</td>
<td>22.57</td>
</tr>
<tr>
<td>Operating Expense</td>
<td>41.58</td>
<td>81.72</td>
<td>122.30</td>
</tr>
<tr>
<td>Commodities</td>
<td>32.56</td>
<td>27.44</td>
<td>60.00</td>
</tr>
<tr>
<td>Total all other</td>
<td>74.14</td>
<td>131.73</td>
<td>204.87</td>
</tr>
</tbody>
</table>

| Total Expenditures | $8,289.14 | $9,888.89 | $18,177.03 |
| Appropriation      | $8,223.00 | $8,223.00 |            |