

International Labor Standards

History, Theory, and Policy Options

Edited by

Kaushik Basu

Henrik Horn

Lisa Román

Judith Shapiro



International Labor Standards

The Expert Group on Development Issues (the EGDI) was formed by the Swedish government in 1995. The group consists of a number of international experts in development-related academic areas along with Swedish policy makers. The group initiates projects of importance to the development debate. More information about the EGDI may be found on the website: www.egdi.gov.se

International Labor Standards

History, Theory, and Policy Options

Edited by

Kaushik Basu

Henrik Horn

Lisa Román

Judith Shapiro



© 2003 by Blackwell Publishing Ltd
except for editorial material and organization © 2003 by Kaushik Basu, Henrik Horn,
Lisa Román, and Judith Shapiro

350 Main Street, Malden, MA 02148-5018, USA
108 Cowley Road, Oxford OX4 1JF, UK
550 Swanston Street, Carlton, Victoria 3053, Australia
Kurfürstendamm 57, 10707 Berlin, Germany

The right of Kaushik Basu, Henrik Horn, Lisa Román, and Judith Shapiro to be identified
as the Authors of the Editorial Material in this Work has been asserted in accordance
with the UK Copyright, Designs, and Patents Act 1988.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval
system, or transmitted, in any form or by any means, electronic, mechanical, photocopying,
recording or otherwise, except as permitted by the UK Copyright, Designs, and Patents Act
1988, without the prior permission of the publisher.

First published 2003 by Blackwell Publishing Ltd

Library of Congress Cataloging-in-Publication Data

International labor standards : history, theory, and policy options / Edited by Kaushik Basu,
Henrik Horn, Lisa Román, and Judith Shapiro.

p. cm

Papers based on a conference held in Stockholm in August 2001.

Includes bibliographical references and index.

ISBN 1-4051-0555-0 (hbk : alk. paper) – ISBN 1-4051-0556-9 (pbk : alk. paper)

1. Labor policy – Congresses. 2. Labor – Standards – Congresses. 3. Labor laws
and legislation, International – Congresses. I. Basu, Kaushik.

HD7795 .I554 2003

331.12'02'18–dc21

2002006147

A catalogue record for this title is available from the British Library.

Set in 10/12pt Bell
by Graphicraft Limited, Hong Kong
Printed and bound in the United Kingdom
by TJ International, Padstow, Cornwall

For further information on
Blackwell Publishing, visit our website:
<http://www.blackwellpublishing.com>

Contents

<i>List of Tables and Figures</i>	ix
<i>List of Acronyms</i>	xi
<i>List of Contributors</i>	xii
Part I: Introduction	1
<i>Kaushik Basu, Henrik Horn, Lisa Román, and Judith Shapiro</i>	
Part II: The Evolution of Labor Standards	7
<i>Chapter 1. The History and Political Economy of International Labor Standards</i>	9
<i>Stanley L. Engerman</i>	
Introduction	9
Categories of Labor Standards	10
The Sources of Agitation for Improved Labor Standards	11
Morals and Economics: Long-standing Arguments	23
Control and Enforcement	30
Patterns of Labor Standards Evolution	31
Early Examples of Legislation	36
The Types of Legislation	39
The Impact of Labor Standards	60
Early International Agreements	60
The International Labor Organization	66
Final Remarks	68

<i>Appendix 1: Labor Standards in the Scandinavian Nations</i>	69
<i>Commentary 1.1. The Parallels Between the Past and the Present</i> <i>Jane Humphries</i>	84
The Parallels Between the Past and the Present	84
The Macroeconomics of Child Labor	88
The Microeconomics of Child Labor	92
Labor Standards and Social Policy	93
Conclusion	94
<i>Appendix: Nussbaum's List</i>	95
<i>Commentary 1.2. Legislation Versus Bargaining Power: The Evolution of Scandinavian Labor Standards</i> <i>Karl-Ove Moene and Michael Wallerstein</i>	99
Part III: The Theory of International Labor Standards	105
<i>Chapter 2. The Impact of International Labor Standards: A Survey of Economic Theory</i> <i>Nirvikar Singh</i>	107
Introduction	107
Delineating Labor Standards	110
Labor Markets and Labor Standards	116
Labor Standards in the Global Economy	135
Who Decides and How?	144
What Happens to the Poor?	156
Conclusion	165
<i>Appendix 1: Basic Competitive Model</i>	166
<i>Appendix 2</i>	167
<i>Appendix 3: Monopsony</i>	170
<i>Commentary 2.1. Old Wine in New Bottles?</i> <i>T. N. Srinivasan</i>	182
<i>Commentary 2.2. Governing Labor Relations</i> <i>Tore Ellingsen</i>	187
Incomplete Contracts and Workers' Rights	188
Working Conditions	189
Conclusion	190

Part IV: The Issue Of Child Labor	193
<i>Chapter 3. Child Labor: Theory, Evidence, and Policy</i> <i>Drusilla K. Brown, Alan V. Deardorff, and</i> <i>Robert M. Stern</i>	195
Introduction	195
Theories of Child Labor: Models of Household Decisions	196
Empirical Evidence on the Determinants of Child Labor	201
Traditional Policies Targeting Child Labor and Education	218
Recent Policy Initiatives Addressing Child Labor	225
Child Labor Standards Initiatives in the International Arena	237
Conclusions	241
<i>Commentary 3.1. The Political Economy of Child Labor</i> <i>Alan B. Krueger</i>	248
Conclusion	254
<i>Commentary 3.2. Social Norms, Coordination, and Policy Issues</i> <i>in the Fight Against Child Labor</i> <i>Luis-Felipe López-Calva</i>	256
The Role of Social Norms	256
A Comment on Policy	267
Concluding Remarks	267
Part V: The International Organization and Enforcement of Labor Standards	271
<i>Chapter 4. A Role for the WTO</i> <i>Robert W. Staiger</i>	273
Introduction	273
Identifying the Problems	276
The Institutional Features of the WTO and the ILO	281
The Assignment of Problems to Institutions	290
The Role of the WTO in Preventing Race-to-the-bottom/Regulatory-chill Problems	292
The Role of the WTO in Enforcing ILO Agreements	298

Evaluating the Options	302
Summary and Conclusion	304
<i>Commentary 4.1. Trade and Labor Standards: To Link or Not to Link?</i>	309
<i>L. Alan Winters</i>	
<i>Commentary 4.2. The Need to Micro-Manage Regulatory Diversity</i>	314
<i>Petros C. Mavroidis</i>	
The Argument in Staiger's Study	314
The Argument in this Commentary	314
The Function of the WTO Contract in a Nutshell	315
The Limits of the Current WTO Contract	320
Index	326

Tables and Figures

Tables

1.1	Factory laws of European countries	12–21
1.2	Development of legal minimum age for employment, and normal maximum working day for children in the United Kingdom	24–8
1.3	Ratio of students in school to population ages 5–19 and the proportion of the population voting for selected countries, 1895–1945	33–4
1.4	International comparisons of laws relating to suffrage, and the extent of voting	35
1.5	(a) State compulsory education and child labor laws in 1879–80, and (b) State maximum hours' laws affecting women in 1879–80	38
1.6	Labor-hour laws in all occupations for men, women, or minors in all States and Territories, November 1, 1899	40–3
1.7	Women and child labor laws in the United States, 1910	44–6
1.8	Duties of factory inspectors in the United States, various States, 1877–91	47–8
1.9	Maximum-hours legislation and scheduled hours, by state women, 1909–19, in the United States	49–50
1.10	(a) Minimum age of admission to industrial labor (1919), and (b) Duration of nighty recess for women	52–3
1.11	Age of legal employment and maximum legal hours of labor of children employed in factories in the United States, January 1, 1913	53–4
1.12	List of bilateral and plurilateral international agreements regarding labor questions	63–5

2.1	Labor standards as rights	111
2.2	Preferences that lead to a conflict between rights and outcomes	114
3.1	Sequential probit analysis for selected countries in Latin America: Probability that a child works	203
3.2	Sequential probit and logit analysis for selected countries in Latin America: Probability of fulltime work	204
3.3	Probability of child work and schooling for selected countries in Africa	209
3.4	Sequential probit analysis for selected countries in Asia	213
3.5	Child labor and education. Labor force participation rates, minimum age of work, and compulsory education	220
3.6	Percentage of children leaving school, by age, for selected countries, 1959–74 birth cohort	220
3.7	Probit estimates of determinants of Congressional support for labeling of cocoa products made with enslaved child labor and for fast-track trade promotion authority: US House of Representatives, 2001	253
3.8	Sequential probit results for 1994–98	264
3.9	Bivariate probit results for 1994–98	265
3.10	Variables used in the bivariate probit, multinomial logit and sequential probit models	266

Figures

1.1	Child labor and GDP per capita	89
2.1	Competitive equilibrium in the labor market	117
2.2	A labor market with compensating differentials	121
2.3	Monopsony in the labor market	126
2.4	Multiple competitive equilibria with survival constraint	127
2.5	Unique competitive equilibrium at subsistence	129
2.6	Multiple equilibria with and without child labor	158
3.1	Member of household aged 60 and over living with grandchild	257
3.2	Rational expectations equilibria and the labor market	262
4.1	The Oecedia/Developia complaints matrix	317

Acronyms

BGMEA	Bangladesh Garment Manufacturers Association
FFE	Food for Education
GDP	Gross Domestic Product
IFPRI	International Food Policy Research Institute
ILO	International Labor Organization
IPEC	International Program on the Elimination of Child Labor
LFP	Labor Force Participation
NGO	Non-Government Organization
PETI	Brazilian Child Labor Eradication Program
PROGRESA	Program for Education, Health, and Nutrition
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNICEF	United Nations International Children's Emergency Fund
USDOL	United States Department of Labor
WTO	World Trade Organization

Contributors

Drusilla Brown is Associate Professor of Economics at Tufts University, Medford, Massachusetts, USA.

Alan V. Deardorff is Professor of Economics and Public Policy at the University of Michigan, Ann Arbor, Michigan, USA

Tore Ellingsen is Professor of Economics at the Stockholm School of Economics, Sweden.

Stanley Engerman is Professor of Economics and Professor of History at the University of Rochester, New York, USA

Jane Humphries is Reader in Economic History at All Souls College, Oxford University, United Kingdom

Alan B. Krueger is Professor of Economics and Public Affairs at Princeton University, New Jersey, USA.

Luis-Felipe López Calva is Assistant Professor at El Colegio de Mexico, Mexico City, Mexico.

Petros C. Mavroidis is Professor of Law at the University of Neuchatel, Switzerland

Karl-Ove Moene is Professor at the Department of Economics at the University of Oslo, Norway.

Nirvrkar Singh is Professor of Economics at the University of California, Santa Cruz, USA

T. N. Srinivasan is Professor of Economics at Yale University, New Haven, Connecticut, USA

Robert W. Staiger is Professor of Economics at the University of Wisconsin, Madison, USA

Robert Stern is Professor of Economics and Public Affairs (emeritus) at the University of Michigan, Ann Arbor, USA

Michael Wallerstein is Professor of Political Science at the Northwestern University, Chicago, Illinois, USA

L. Alan Winters is Professor of Economics and the University of Sussex, United Kingdom

PART I
Introduction

Introduction

*Kaushik Basu, Henrik Horn,
Lisa Román, and Judith Shapiro*

The call for “international labor standards” has been one of the more controversial proposals in contemporary global policy debates. These proposals have varied greatly in their intended coverage. Often they build on some notion of “core labor standards,” which include the prohibition of forced labor, the prohibition of discrimination in employment, the right to freedom of association, the right to bargain collectively, and the prohibition of exploitative child labor. But these proposals often also include more ambitious goals.

Few would dispute the need for at least some government legislation in the area of labor standards. Indeed, virtually all civil societies have legislated to assure workers certain minimal rights and to prevent or dissuade certain kinds of activities, such as ones involving exposure to excessive hazards or ones involving child labor. But though at an abstract level all would agree that these are aims that should be upheld, debate and controversy become the rule as soon as we get into specifics. What constitutes “forced” labor? When can child work be described as “exploitative?” How should these standards be assured? What each society considers to be a minimal standard, to be upheld by the state, also in practice varies a great deal. In addition, in poor countries, even agreed-upon standards are poorly enforced.

The controversial aspect of the proposals for international labor standards is largely the idea that they should be *internationally* agreed and enforced. In practice, this is likely to imply that poorer countries will be induced to set higher standards than what they would have chosen unilaterally, and presumably also that there would be some type of sanctions, should they violate these standards. Such an outcome can obviously be given very different interpretations. On the one hand, it is often argued that it would help the poorer countries out of a “Prisoners’ Dilemma” type of situation, where

the competition among poor countries for export markets leads to too low standards, and where there is need for some external help in breaking out of an undesirable situation.

Pitted against this view, however, are those who argue that these proposals will actually hurt the poor. In addition, it is argued that not only will such standards hurt poor countries if implemented, but that the proposals are partly intended to serve protectionist interests in import-competing sectors in developed countries, at the expense of these societies at large. According to this view, it has been easy for two sets of people, to share the same platform, to appear behind the same banner of concern and genuine commitment, but with very different agendas – one group concerned about the condition of workers the world over, and the other inspired by its perception of its own, narrow self-interest.

Recognizing that the debate had reached an unproductive impasse, this book grew out of a project, which sought, above all, to move the debate forward. To do this we had first to acknowledge the fact that the issues at stake are complicated, not only in their political aspects, but also from an economist's point of view – interventions made with the best of intentions may have desirable effects, but may also harm those they were meant to protect. Given the importance of the issues at stake, any policy decisions should be based on a thorough understanding of their likely effects. The purpose of this book is to contribute to such an understanding, by addressing four central questions:

1. What can we learn from economic history? – How did the labor standards movement evolve in the past, both domestically and internationally?
2. What do contemporary economic theories tell us about the possible impact of international labor standards?
3. So much has been written about child labor – but what solid empirical evidence do economists have about its incidence, causes, and effects?
4. Finally, what kinds of global institutions do we have, or need, to enforce any agreement on labor standards? In particular, what should be the role of the ILO and the WTO?

This book seeks to answer these questions by putting together between the covers of a single book what the best research in these areas can offer us. In each of the four main parts of the book (each one devoted to the four questions just laid out above), the first chapter is the main paper that was commissioned on the subject, and the two following papers are the comments of the two conference discussants, inspired by the main paper.

The history of labor standards is developed by Stanley Engerman of Rochester University, and commented on by Jane Humphries of All Souls College, Oxford University, and Karl-Ove Moene and Michael Wallerstein

of the University of Oslo. Theories of international labor standards are presented by Nirvikar Singh, University of California, Santa Cruz. Comments are made by T. N. Srinivasan, Yale University and Tore Ellingsen, Stockholm School of Economics. An account of child labor issues is given by Drusilla Brown, Tufts University, and Alan Deardorff and Robert Stern of Michigan University. Alan Krueger, Princeton University, and Luis-Felipe López-Calva, of El Colegio de Mexico, discuss this aspect of labor standards. Finally, a proposal for a way to handle the international organization and enforcement of labor standards is given by Robert Staiger, University of Wisconsin. This contribution is discussed by Alan Winters, University of Sussex, and Petros Mavroidis, University of Neuchatel.

The book has grown out of a conference that we organized in Stockholm on August 23 and 24, 2001. The conference was sponsored by the Ministry for Foreign Affairs, Government of Sweden, and organized under the auspices of the Expert Group on Development Issues (EGDI), a government-funded but independent group of international experts with the mandate to initiate projects of relevance to the development debate. Our first thanks go to Gun-Britt Andersson, State Secretary, Ministry for Foreign Affairs, and Chairperson of the EGDI, for her keen interest in the project, deep intellectual commitment to the subject, and the good sense to leave it to us, as editors, to decide what to include and how to deal with the subject matter. Those hoping to learn about the official position of the Swedish Government on this sensitive subject will have to look elsewhere. The EGDI was conceived of and founded by Mats Karlsson, then State Secretary at the Ministry for Foreign Affairs. Though he was not involved by the time the International Labor Standards project was started, we want to record our appreciation of Mats' effort and commitment to policy-significant research, which led to the setting up of the EGDI.

In organizing the conference, we wanted to get some of the best researchers available not only to write the papers but also to discuss and comment on them. We all took away a great deal from the diverse comments and criticisms that the various participants made. These have, of course, influenced the revising of the papers that the authors undertook after the conference, but will also figure in a separate paper that Gote Hansson, Lund University, is preparing for the EGDI and which will, among other things, sum up the discussion from the floor and in the final round table session. We would here like to extend our particular gratitude to the invited participants whose comments are not published in this volume: Sarah Bachman, Asia/Pacific Research Center, Stanford University, Richard Blackhurst, Graduate Institute of International Studies in Geneva, and formerly with the WTO, Gösta Edgren, former ambassador to the Vietnam and formerly with the ILO, Ulf Edström, the International Secretariat of the Swedish Trade Union Confederation (LO), Lotta Fogde, State Secretary for International Trade, Policy

and Strategic Export Control, Swedish Ministry for Foreign Affairs, Francis Maupain, the ILO, Geneva, Pradeep Mehta, Consumer Unity Trust Society, India, Ebrahim Patel, South African Clothing and Textiles Workers Union, South Africa, G. Rajasekaran, Malaysian Trade Union Congress, Malaysia, and Kari Tapiola, the ILO, Geneva. In addition we are most thankful to active and valuable contributions by the other participants at the seminar in August.

International labor standards is a subject where policy and research need to stand very close to each other. Our aim and hope, as editors, is that this book will be useful not only to students of trade, development, international relations and labor economics, but also to policy makers in government and in international organizations.

PART II

The Evolution of Labor Standards

CHAPTER 1

The History and Political Economy of International Labor Standards

Stanley L. Engerman

Introduction

Laws regulating the relations between masters and servants, or employers and employees as they latter became, have a long history in the European world, influencing wage rates, hours of work, and working conditions. In the fourteenth century, for example, the British imposed laws after the Black Death setting maximum wages as well as constraints on migration and settlement.¹ Legal rules set the terms for the rights and customary responsibilities of villains, while other legislation, such as the Poor Laws, influenced the treatment and behavior of the population, even when not specifically concerned with what we might today consider labor standards.² Laws as early as the sixteenth and seventeenth centuries regarding the treatment of slaves in the New World colonies of European nations often specified minimum consumption requirements, hours of work, and acceptable punishments.³ Laws regarding transoceanic movement of people, initially of slaves from Africa, which specified conditions of shipment and treatment, later were also designed for indentured servants, and by the early nineteenth century these were more broadly applied, with somewhat different terms, to all free passengers.⁴ The mercantilistic policies of European nations, often concerned with increasing population, provided for measures of public health and emigration restrictions, which impacted on the living and working conditions of the laboring classes.⁵

These, however, are not generally considered to have been concerned with labor standards as looked at today. Some, such as passenger regulations and public health measures, do not deal with the process of working. Most, however, are seen to have a different origin than those of the nineteenth and

twentieth centuries. These early laws were generally imposed by the elites, in their own interests, and, although they may have provided some benefits to the non-elite, their primary intent was not to be benefits to the workers and others in the population. The later policies were intended to directly benefit the workers, whether these policies were advocated by the workers themselves or else by some reform groups within society. The modern story of labor standards generally starts in England in 1802, and is seen as an attempt to offset the social costs that accompanied the development of industrialization.⁶ While there were argued-for benefits to factory owners, their main purpose was to protect members of the working class, or at least some of them, and there was frequent opposition by employers to such legislation and its enforcement.

Categories of Labor Standards

The present-day discussion of labor standards, both internal to a state or nation and international, involves a number of quite different aspects of the employer–employee relationship, and therefore there may be differences in the extent to which satisfaction of all desired ends can be achieved. We can divide the present-day aspects of labor standards most broadly into three categories. The most basic has been labor market conditions – wages (now minimum, not as earlier, maximum) and hours of work (maximum amount, as well as the specific hours of work, particularly night work). There has generally been a sharp distinction made among the different age and sex components of the labor force, with different provision for children, women, and adult males (See table 1.1 for a survey of European factory legislation.) Second, laws dictate acceptable working conditions for the factory – safety, sanitation, elimination of work hazards, and factory-floor arrangements, all intended to provide a healthy work environment. Third, laws specify the general range of arrangements permitted between labor and employer, including rules regarding rights of association, the formation and maintenance of labor unions, permanent bargaining rights, the conciliation and arbitration of disputes, terms of apprenticeship, and the more general terms of labor contracts (including laws such as the English Masters and Servants acts which regulated, among other things, hiring, firing, and quitting practices). At times, however, there are trade-offs between ends, and there may also be some inconsistencies in achieving these goals. There may be differences between the legislative imposition of specific terms and the establishing of rights of collective bargaining by unions to set the terms they desire. More frequently, in the past, was a perceived conflict between the coverage of government legislation and the rights of individuals to choose their own preferred contractual package.

The most general statement of core labor standards, presented by the ILO in 1999, includes:

- freedom of association and the effective recognition of the right to collective bargaining;
- the elimination of all forms of forced or compulsory labor;
- the effective abolition of child labor; and
- the elimination of discrimination in respect of employment occupation.

Note that these core standards make no direct statements about wages or hours.

In general, there are now some very basic terms of internationally agreed upon labor standards, reflecting both moral and economic beliefs. These include no slavery, serfdom, or other form of forced labor; no sales of goods produced by convict labor (certainly none to compete with free labor); free emigration and (unless it causes economic difficulties to residents) relatively few barriers to immigration; limited child labor so as to provide more education: and, in general, no discrimination on the basis of race, religion, gender, age, disability, political opinion, nationality, social origin, etc. unless these forms of discrimination or coercion might be considered to be either necessary or desired (as in wartime) or to recognize different needs of some specific groups.⁷ More recently the concept of labor standards has expanded to explicitly include practices such as sexual harassment and related aspects of the workplace regime.

The Sources of Agitation for Improved Labor Standards

There have been several sources of agitation concerning labor standards, and the nature of the pressures for legislation have shifted over time. Even if different groups have the same professed aim, there can be grounds for skepticism as to what end is ultimately desired by any group. In general, the argument for imposing standards has been to protect certain individuals, who are, either legally or economically, too weak to be properly treated within the market economy, or else who lack the political voice to be able themselves to influence legislation. As laboring classes achieve more economic and political power, they might pursue enhanced labor standards via political and governmental actions rather than by the perceived-to-be more expensive method of piecemeal change via market and collective labor actions taken with individual firms or industries.

The modern push for improved laboring standards in England at the turn of the nineteenth century, at the same time as the expansion of the antislavery

Table 1.1a Factory laws of European countries

	<i>France</i>	<i>Belgium</i>	<i>Holland</i>
DATES OF EARLIEST FACTORY LEGISLATION.	1841. (1848, 12 hours' day regulation.)	1889.	1815. (Sunday Rest.) 1874.
DATES OF LAWS IN FORCE.	1892. (Modifications from 1893 to 1898.)	1889. (With additions, 1892–1898.)	1889. (With additions, 1891–1898.)
TO WHAT PLACES THE LAWS APPLY.	*Factories, works, coal, and metalliferous mines, quarries, sheds, workshops, and all industrial establishments connected with them, whether public or private, lay or religious; state or charity workshops included. The Law does not apply to agricultural work and transport industries, nor to shops or bureaux. Domestic workshops are also excluded, but come under the inspector's authority if they deal with unhealthy trades or if power is used.	All steam-mills, factories, and works, industrial establishments private or public, educational (technical) or charitable; all mines (coal and metalliferous), quarries, yards, ports, stations, transport industries (sea or land); all brickfields and tile works not using power; all unhealthy trades, and all trades using power (steam or mechanical). Domestic workshops are excepted unless using power or dealing with unhealthy trades.	All factories and workshops, defined as places, open or shut, where articles are prepared for sale or use; and all industries, great or small. EXCEPTIONS: (1) Agriculture, horticulture, forestry, cattle raising, and the peat industry; (2) occupations in or for the trade of an employer with whom the worker lives, which are done outside the workshop, in so far as they belong to work usually done in the household or stables; (3) kitchens and pharmacies. Also barge and fishing industries, save as touching the age of admission of children; State, military, professional, and educational establishments and prisons.

AGE OF ADMISSION OF CHILDREN.	13. (Or 12, if furnished with medical and educational certificates.)	12.	12.
DURATION OF WORKING-DAY. <i>Children.</i>	10 hours.‡ (For those under 16. Overtime usually forbidden.)	12 hours.§ (For those under 14.)	11 hours. (For those under 14.)
<i>Young Persons.</i>	11 hours.‡ (And not more than 60 per week for those under 18. Overtime usually forbidden to both sexes under 18.)	12 hours.§ (For boys under 16 and girls under 21.) [Subsequent trade by trade legislation has in effect reduced the hours for all under 16 to an average of 10 ¹ / ₂ .]	11 hours. (For those under 16.)
<i>Women.</i>	11 hours.‡		11 hours.

* The term "Factory" is translated throughout as a simple reproduction of the word used in the law. The meaning differs from country to country, but is not always defined in the law; for example, it is not defined in the German Industrial Code.

‡ Cut by a rest or rests amounting to 1 hour at least.

§ Cut by rests of a total of 1½ hours. In many industries the midday interval must be 1 hour at least. However short the working-day, a rest of ¼ hour after every 4 hours.

|| Cut by a rest of at least 1 hour between 11 a.m. and 3 p.m.

Table 1.1b Factory laws of European countries

	<i>Germany</i>	<i>Austria</i>	<i>Hungary</i>
DATES OF EARLIEST FACTORY LEGISLATION.	1839 (Prussia). 1869 (North Germany), which 1870 extended to the Empire.	1787 (Forbad children under 9 to work in factories). 1842 (Factory age raised to 12). 1859.	1840.
DATES OF LAWS IN FORCE.	1891. (With additions up to 1897.)	Modified by Laws 1883 (March) and 1885 (March), the latter limited the male adult working day. Latest changes in 1897.	1884. Is the main law called the Industrial Law. Additions in 1891 and 1893; with minor changes up to 1895.
TO WHAT PLACES THE LAWS APPLY.	Factories, mills, and workshops using power: underground quarries, mines, saltpits; smelting houses, timber and other building yards and dockyards; brick and tile kilns, mines and quarries, which are worked above ground and are not merely temporary. Domestic workshops are formally omitted. By an Imperial Decree of 1897 regulation is extended to ready-made clothing workshops— <i>save</i> where only members of the family are employed, or where the manufacture is only occasional. By Art. 154 the provisions may be extended by Imperial Decree with consent of the local authority to other industries.	Factories of the large and workshops of the small industries. A Factory is a place where articles are made or worked upon in a closed workshop employing more than 20 workmen; division of labour, use of machinery, an employer himself not working manually, may also bring the place under the Factory Law. Agricultural, fishing, transport (rail, steam and canal) industries are omitted, also earth-works and mines:.* Domestic workshops, penitentiaries and charitable establishments are also exempt.	In principle to all industries and professions. No definition distinguishes factories and workshops; a factory is a place where a branch of work is done, or power or machinery is used. Express <i>exclusions</i> are agricultural, fishing, transport (rail, steam, canal) industries and mines; also State monopolies, domestic workshops, educational and reformatory institutes and prisons.