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BOLIVIA 2

Decree and Regulations: Women and Children

A) *Decreto Supremo sobre Protección de la mujer y el niño en las industrias. 21 de septiembre de 1929. (Boletín de la Dirección General de Sanidad Pública, diciembre de 1929, año I, no. 2, pág. 154.)*

Presidential Decree respecting the protection of women and children in industry. Dated 21st September, 1929.

1. Children under ten years of age shall not be employed, and children over ten years of age shall not be employed if they are covered by the Compulsory Elementary Education Act and have not yet satisfied its requirements, unless the work of such children is essential for their livelihood or that of their parents or brothers or sisters.
2. Children under sixteen years of age shall not be employed on night work during the hours intended for sleep nor at such hours as may be detrimental to their health, education or morals. Young persons under age shall not in any case be employed as waiters or serving boys in canteens and public houses.
3. The General Directorate of Public Health may at any time order the medical examination of young persons employed in industrial or commercial establishments, and the withdrawal of those whose health and normal development are endangered by the class of work which they perform.
4. In accordance with the provisions of this Presidential Decree, the General Directorate of Public Health shall issue regulations respecting the employment of women and young persons in order to ensure the protection of their health, safety, education and morals.
5. Women employed in workshops and industrial establishments shall be allowed to absent themselves from their employment for a period not exceeding thirty days after childbirth, and their posts shall be kept open for them.
6. Women shall not be employed in unhealthy undertakings (which shall be specified by the General Directorate of Public Health), nor in canteens and public houses.
7. Women shall not be employed on night work, between 9 p.m. and 6 a.m.
8. In establishments in which women are employed, mothers shall be allowed to nurse their infants for fifteen minutes every two hours, and such periods shall be additional to the ordinary rest periods.
9. The General Directorate of Public Health shall supervise the administration of this Decree, and may inflict the penalties laid down for each contravention in the corresponding regulations within the scope of the Act of 1906.

B) *Reglamento para la práctica del Decreto Supremo de 21 de septiembre de 1929. (Boletín de la Dirección General de Sanidad Pública, marzo de 1930, año II, no. 3, pág. 217.)*

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Regulations for the administration of the Presidential Decree of 21st September, 1929. [Undated.]

1. In conformity with the provisions of section 4 of the aforesaid Presidential Decree, the General Directorate of Public Health hereby issues the following Regulations with which factories and workshops shall comply:—

- a) the premises in which the above establishments carry on their operations shall be kept perfectly clean;
- b) steps shall be taken to prevent emanations from sewers, latrines and cesspits, and harmful emanations of every other kind;
- c) the said premises shall be ventilated in such a manner as to render harmless as far as possible any gases, fumes, dust and other impurities produced in the course of industrial or manual work which are likely to be injurious to health;
- d) during the hours of work the said premises shall not be occupied by a greater number of persons than they can contain without prejudice to health in view of the air space available.

2. A contravention of the Presidential Decree shall be deemed to have occurred on the date of the expiry of the time limit laid down by the competent authority for carrying out the alterations, repairs or measures required for reasons of safety, health or morals.

3. In the absence of special provisions to the contrary, the volume of air requisite for the proper hygiene of the premises of factories or workshops shall be deemed to be not less than 10 cubic metres per person.

A notice shall be affixed in every factory and workshop, specifying the number of persons who may be employed in each room.

4. Suitable measures shall be taken in all factories and workshops to maintain a reasonable temperature in every room.

5. Factories and workshops shall be provided with adequate and suitable sanitary accommodation, which shall be separate for men and women if both are employed.

6. For reasons of safety:—

- a) all hoists or flywheels directly connected with an engine operated by steam, electricity, water or other mechanical power and the parts of every water-wheel or wheel driven by similar power shall be fenced;
- b) every channel shall be closed throughout its length if it is not shut off in any other way;
- c) all dangerous parts of machinery and transmission gear shall be fenced or arranged and constructed in such a manner as to be safe for the wage-earning and salaried employees in the factory.

7. The doors of every workplace shall open outwards. So long as the workers remain in the workplace, the doors thereof and the doors of the passages used as entrances and exits shall be kept free from obstructions and shall not be locked or bolted.

8. The workrooms shall be adequately lighted in order to avoid injury to the eyesight of the young persons and women employed therein.

9. A sufficient quantity of drinking water shall be supplied in every factory for the consumption of the employees. In the telegraph and

telephone services, in which women are employed and close and prolonged attention is required, the work shall be interrupted by a rest period of fifteen minutes every two hours.

10. Alcoholic beverages shall not be brought into workplaces and dependencies thereof.

11. If the nature of the employment necessitates the workers' changing their clothes, rooms other than the workrooms and separate for men and women shall be provided for this purpose.

12. The prohibition of night work contained in section 7 of the Presidential Decree shall not apply to adult women who are employed in domestic service, the care of the sick or public amusement undertakings.

13. For the purpose of granting a young person an authorisation under section 1 of the Presidential Decree, a summary inquiry shall be held to prove conclusively that the young person concerned complies with the provisions of the said section; this shall be stated in a certificate signed by an inspector of the General Directorate of Public Health, which shall be delivered to the young person or his legal representative.

14. The occupier or manager of every industrial establishment shall forward to the General Directorate of Public Health a list of the young persons of both sexes employed in industrial or commercial work inside or outside the factory, workshop or office.

15. Occupiers of factories or workshops who employ young persons under sixteen years of age in work which must be done off the premises of the factory or workshop shall be bound to keep a register stating the quantity and nature of the work which they have to perform, together with the dates on which the work is given out and finished, with a view to ensuring that the said young persons are not required to work more than six hours a day.

16. In accordance with the provisions of section 2 of the Presidential Decree, young persons under sixteen years of age and women under age shall not be employed in work which though not within the scope of the penal laws is liable to be detrimental to their morals.

Young persons under sixteen years of age shall not be employed in theatres or places of public amusement.

Young persons under sixteen years of age and women shall not be employed to work treadle machines, to turn horizontal wheels, as crane or winch enginemen, to transmit signals to the engineman or to attend to the belting of machinery.

Women under age shall not be employed in underground work or in the retail sale of alcoholic beverages for consumption on the premises.

17. Young persons under sixteen years of age and women shall not be employed in the following industries, which are deemed to be dangerous or unhealthy:—

1. the manufacture of dynamite, powder having chlorate of potash as a basis, fulminate of mercury or gunpowder, or the filling of military ammunition with modern powders;
2. the refining and distillation of petroleum and other hydrocarbons used for lighting and heating;

- 3. the manufacture of oil varnishes;
- 4. the manufacture of carbon bisulphide;
- 5. the polishing of precious metals (gold and silver);
- 6. the manufacture, smelting and rolling of lead, the manufacture of litharge, red lead and oxide of lead;
- 7. the manufacture and crushing of copper compounds and the treatment thereof with acids;
- 8. the manufacture of arsenical compounds;
- 9. the distillation of tar products (paraffin, creosote, phenic acid, benzene, commercial naphtha);
- 10. the manufacture of potassium and the salts thereof;
- 11. the manufacture of fireworks;
- 12. the manufacture of explosives;
- 13. powder magazines;
- 14. animal guano yards;
- 15. animal offal stores;
- 16. linotyping and typefounding;
- 17. the collection and washing of rags and bones;
- 18. carding in textile factories;
- 19. factories and stores of inflammable substances in general.

18. Young persons under sixteen years of age and women shall not be employed in the work specified below in the following industries:—

- 1. manufacture of phosphorus matches — in the workplaces in which the paste is made and the dipping and drying rooms;
- 2. gut works — in the workplaces where the gut is washed and prepared;
- 3. curriers' establishments and tanneries — in workplaces in which dust from the tanning material is given off;
- 4. manufacture of varnished leather (patent leather) and oilcloth — in the workplaces in which the varnishing is carried out;
- 5. ceramic industry (manufacture of bricks, porous pitchers, glazed water jugs, glazed earthenware, etc.) — in the workplaces in which grinding and sifting take place;
- 6. dye-works — in the workplaces in which poisonous substances are used;
- 7. paper and wallpaper manufacture — in the workplaces in which rags are sorted, prepared and cut and poisonous substances are used;
- 8. tobacco factories — in the workplaces in which bales of tobacco are unpacked and cut and in which dust is given off;
- 9. manufacture of animal charcoal — in bone grinding;
- 10. lime-kilns — in the crushing and sifting of limestone;
- 11. plaster kilns — in the workplaces in which dust is given off;
- 12. foundries (blast furnaces) — in the workplaces in which metals are melted;
- 13. alcohol distilleries — in the fermentation and leavening rooms.

19. The maximum weights which workers may carry on or off the premises of workplaces or establishments shall be as follows:—

- (a) boys under sixteen years of age 10 kilogrammes

- (b) girls under sixteen years of age 5 kilogrammes

- (c) women over sixteen and under twenty years
of age 10 "

20. The maximum loads (inclusive of the vehicle) which such workers may draw or push, either in an establishment or in the street, shall be fixed as follows:—

(a) Trucks running on rails:—

- boys under sixteen years of age 300 kilogrammes
- girls " " " " 150 "
- women over sixteen and under twenty years
of age 300 "

(b) Handcarts:—

- boys over fourteen and under sixteen years
of age 40 "

(c) Three-wheeled and four-wheeled carts:—

- boys under sixteen years of age 35 "
- girls under eighteen years of age 35 "
- women over eighteen and under twenty years
of age 50 "

21. The General Directorate of Public Health shall be responsible for supervising mines, factories and workplaces in the Republic in order to ensure that the statutory provisions for the protection of the health of workers are complied with.

22. The police shall exercise their powers of supervision in every case of contravention liable to punishment.

23. Any person in possession of civil rights who has information concerning a contravention of any provision of the Presidential Decree respecting the employment of women and children may report such contravention to the competent police or judicial authority in order that the latter may make the necessary investigation.

The departmental directors of public health and their officials shall be responsible for the superior supervision of the administration of these provisions in the departments and provinces, and shall notify the General Directorate of Public Health on receiving proof of a contravention.

The preceding provisions shall be binding upon industrial undertakings hereafter established, and undertakings already established shall be granted a reasonable time limit within which to comply with the conditions laid down; the said time limit shall be prolonged by the General Directorate of Public Health upon direct application by the party concerned.

Fines imposed by the General Directorate of Public Health shall be not less than 5 nor more than 100 bolivars, according to circumstances, in conformity with the Act of 1906; the said fines shall be without prejudice to the direct rights of the workers in case of accident or sickness.

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