

April 3rd, 1933

Mrs. Ethel J. Ryckman,
Superintendent,
Arizona Pioneers' Home,
Prescott, Arizona.

Dear Madam:

This will acknowledge receipt of your letter of March 24th, in which you seek the opinion of the Attorney General upon the questions stated therein, which questions I will restate as follows:

1. "What are the rules governing and the hours required on duty by nurses in State Institutions?"
2. "Does the 8 hour law apply to women nurses in State Institutions?"

Section 2923, R. C. A. 1928, provides that "The chief officer of each institution under control of the board shall appoint all assistants, and employees required, the number to be determined by the board, except as otherwise provided by law.***".

In view of the statutory provision quoted above, I am of the opinion that the Board of Directors of State Institutions has the power to fix the number of hours that nurses must remain on duty, but if the board does not act in the matter, then the heads of the institutions must fix the number of hours. In other words, the head of an institution may fix the number of hours that nurses shall remain on duty but this rule is subject to change by the board.

In answer to your second question, I will state that the law expressly provides that the "8 hour law" shall not apply to nurses.

Very truly yours,
Attorney General.

PHB:H

Assistant Attorney General.

33-123