

April 27, 1943

Mr. L. L. Dugan
Asst. Bus. Rep.
Local 428 I.U. of O.E.
1637 West Jefferson Street
Phoenix, Arizona

Dear Sir:

Your letter of the 19th inst. concerning interpretation of Section 56-308 of Arizona Code 1939, received.

This section has for its purpose forbidding minors under eighteen years of age from being employed "to work in, about, or in connection with," certain specified classes of employment. Certain of these occupations or work are prohibited by name, and in those certain cases the question of hazardous and dangerous employments can not be tolerated under any circumstances.

Some of the machinery mentioned in your letter would come within the definitions given as above stated; but in the provision which comes nearest, in a general sense, to those named by you, to wit: "in oiling hazardous and dangerous machinery in motion", leaves the question of fact to be proved as to the particular facts which would constitute a violation.

This being true, it is suggested that any suspected cases of violation of this section, should be brought to the attention of the County Attorney, with the peculiar facts in each instance, to enable him to determine whether a proper prosecution may be had. The County Attorney is the proper person to file the complaint and prosecute the same.

However if we can be of service at any time, please call on this office.

Respectfully,

JOE CONWAY
Attorney General

THOMAS J. CROAFF
Assistant Attorney General

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