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"METAL MOULDER"—TERM INCLUDES THE PERSON WHO INJECTS MOLTEN METAL INTO MOLD—AMENDED SUBSTITUTE SENATE BILL 126, 95 GENERAL ASSEMBLY.

## SYLLABUS:

The term "metal moulder" as used in Section 2 of Amended Substitute Senate Bill No. 126 of the Ninety-fifth General Assembly includes the person who injects the molten metal into the mold.

Columbus, Ohio, September 17, 1943.

Mr. George A. Strain, Director of Industrial Relations,  
Columbus, Ohio.

Dear Sir:

You have asked my opinion with respect to the construction of that part of Section 2 of Amended Substitute Senate Bill No. 126 of the Ninety-fifth General Assembly which prohibits the employment of females in the occupation of "metal moulder." Specifically, you have inquired as to whether the term "metal moulder" includes "the employee who handles the molten metal and pours it into a mould."

Section 2 of Amended Substitute Senate Bill No. 126 provides:

"The employment of females in the following occupations or capacities is hereby prohibited, to-wit as metal moulder, bell hop, as workers in mines, quarries, except in the offices thereof, poolrooms, barrooms and saloons or public drinking places which cater to male customers exclusively, or in employments requiring frequent or repeated lifting of weights over thirty-five pounds, or in the personal delivery of messages if the female is under eighteen years of age."

In *Rubber Coated Harness Trimming Company v. Welling*, 97 U. S., 7, 10, 24 L. Ed., 942, 943, it was said:

"A mold is a receptacle into which a softer material is injected, to take its shape when hardened."

In Webster's New International Dictionary, the term "moulder" is defined as follows:

"One that molds or forms into shape; specif.: a One who

molds dough into bread. b *Founding*. One skilled in the art of making molds for castings. c One who molds bricks.”

The term “moulder,” therefore, may be said to have at least two meanings. (1) The person who prepares or constructs the mold, and (2) the person who uses the mold for the purpose for which it was constructed.

Although Webster says that in the founding industry the term “moulder” is applied to the person who constructs the mold, I believe that the term was not so used in Section 2 of Amended Substitute Senate Bill No. 126. In 37 O. Jur., 675, Section 371, it is said:

“In construing a law of doubtful meaning or application, the policy which induced its enactment, or which was designed to be promoted thereby, is a proper subject for consideration. Unless precluded by the language of the statute, it should be given effect in furtherance of the policy it was designed to introduce or assist.”

For many years, it has been the legislative policy of this state to prohibit the employment of women in certain occupations. Thus, Section 1008-1, General Code, the operation of which has been suspended by said Amended Substitute Senate Bill No. 126, contains a list of certain occupations and capacities in which the employment of females is prohibited. This section was enacted in 1919. An examination of Section 1008-1, General Code, discloses that the prohibited occupations and capacities are such that the Legislature might well consider them harmful to the health or morals of females if they were permitted to be employed therein.

The obvious purpose of Section 2 of said Amended Substitute Senate Bill No. 126 is likewise to prevent the employment of women in occupations or capacities which might be harmful to their health or morals. Constructing a mold is not attended with so much danger to the health of an individual as pouring the molten metal into the mold and I therefore believe that the Legislature must have intended to prohibit women from performing the latter occupation rather than the former.

For these reasons and in specific answer to your question, you are advised that the term “metal moulder” as used in Section 2 of Amended Substitute Senate Bill No. 126 includes the person who injects the molten metal into the mold.

Respectfully,

THOMAS J. HERBERT,  
Attorney General.