

DEPARTMENT OF INDUSTRIAL RELATIONS

DIVISION OF LABOR STANDARDS ENFORCEMENT

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IN REPLY REFER TO:

December 5, 1986

Ms. Jacqueline L. Soufi
1823 34th Avenue
San Francisco, CA 94122

Dear Ms. Soufi:

Commissioner Aubry has asked me to reply to your recent letter concerning Industrial Welfare Commission Order 4-80, Section 14, Seats.

This section of the Order was originally established to cover situations where the work is usually performed in a sitting position with machinery, tools or other equipment. It was not intended to cover those positions where the duties require employees to be on their feet, such as salespersons in the mercantile industry.

Historically and traditionally, salespersons have been expected to be in a position to greet customers, move freely throughout the store to answer questions and assist customers in their purchases.

Many positions do require employees to be standing for long periods of time. Some employees are required to perform relatively laborious work, which has resulted in the establishment of mandatory rest periods. California does have some of the most progressive standards in the area of employment as evidenced by rules and regulations promulgated by the Industrial Welfare Commission, which are under review at frequent intervals. If you wish to bring the question of seating for mercantile employees to the attention of the Commission, you may write to Ms. Karla Yates, Executive Officer, Industrial Welfare Commission, 525 Golden Gate Avenue, San Francisco 94102.

Thank you for your interest in this matter. We always welcome comments and suggestions from concerned citizens.

Very truly yours,

Albert J. Reiff
Albert J. Reiff
Chief Deputy Labor Commissioner

AJR:ba

cc: Ms. Karla Yates