

THE LAW

State of Iowa

RELATING TO

Duties of Commissioner of Labor

REPORTS OF ACCIDENTS

The Employment of Child Labor and to
provide for the Enforcement Thereof.

Employment Offices or Bureaus.

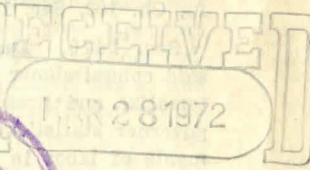
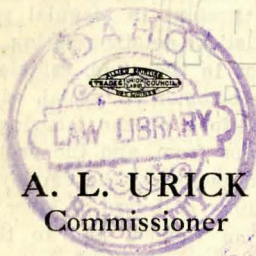
Seats for Female Employes.

FACTORY INSPECTIONS

Construction of Fire Escapes.

Dangerous Fluids.

Boards of Arbitration.



DOCUMENTS
STATE UNIVERSITY

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The Law Governing the Bureau of Labor Statistics

Section 2469. Commissioner. The bureau of labor statistics shall be under the control of a commissioner, biennially appointed by the governor by and with the advice and consent of the executive council, whose term of office shall commence on the first day of April in each odd numbered year and continue for two years, and until his successor is appointed and qualified. He may be removed for cause by the governor, with the advice of the executive council, record thereof being made in his office; and vacancy shall be filled in the same manner as the original appointment. He shall give bonds in the sum of two thousand dollars with sureties to be approved by the governor, conditioned for the faithful discharge of the duties of his office, and take the oath prescribed by law. He shall have an office in the capitol, safely keep all records, papers, documents, correspondence, and other property pertaining to or coming into his hands by virtue of his office, and deliver the same to his successor, except as hereinafter provided. (Twentieth G. A., Ch. 132, Secs. 1-4.) (Thirty-first G. A., Ch. 102, Sec. 1.)

Sec. 2470. Duties—report. The duties of said commissioner shall be to collect, assort, systematize and present in biennial reports to the governor statistical details relating to all departments of labor in the state, especially in its relations to the commercial, social, educational and sanitary conditions of the laboring classes, the means of escape from, and the protection of life and health in factories, the employment of children, the number of hours of labor exacted from them and from women, and to the permanent prosperity of the mechanical, manufacturing and productive industries of the state; and he shall, as fully as practicable, collect such information and reliable reports from each county in the state, the amount and condition of the mechanical and manufacturing interests, the value and

location of the various manufacturing and coal productions of the state, also sites offering natural or acquired advantages for the profitable location and operation of different branches of industry; he shall, by correspondence with interested parties in other parts of the United States, impart to them such information as may tend to induce the location of mechanical and producing plants within the state, together with such other information as shall tend to increase the productions, and consequent employment of producers; and in said biennial report he shall give a statement of the business of the bureau since the last regular report, and shall compile and publish therein such information as may be considered of value to the industrial interests of the state, the number of laborers and mechanics employed, the number of apprentices in each trade, with the nativity of such laborers, mechanics' and apprentices' wages earned, the savings from the same, with age and sex of laborers employed, the number and character of accidents, the sanitary condition of institutions where labor is employed, the restrictions, if any, which are put upon apprentices when indentured, the proportion of the married laborers and mechanics who live in rented houses, with the average annual rental, and the value of property owned by laborers and mechanics; and he shall include in such report what progress has been made with schools now in operation for the instruction of students in the mechanic arts, and what systems have been found most practical, with details thereof. Such reports shall not contain more than six hundred printed pages, and shall be of the number, and distributed in the manner, provided by law. (Twentieth G. A., Ch. 132, Sec. 5.) (Twenty-ninth G. A., Ch. 97, Sec. 1.) (Thirty-first G. A., Ch. 102, Sec. 2.)

Sec. 2471. Power to secure evidence—witness fees—how paid. The commissioner of the bureau of labor statistics shall have the power to issue subpoenas, administer oaths and take testimony in all matters relating to the duties herein required by said bureau, said testimony to be taken in some suitable place in the vicinity to which testimony is applicable. Witnesses subpoenaed and testifying before the commissioner of the bureau shall be paid the same fees as witnesses before a justice court, such payment to be

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made out of the general funds of the state on voucher by the commissioner, but such expense for witnesses shall not exceed \$100 annually. Any person duly subpoenaed under the provisions of this section, who shall willfully neglect or refuse to attend or testify at the time and place named in the subpoena, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine not exceeding \$50.00 and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days; provided, however, that no witness shall be compelled to go outside the county in which he resides to testify. (Twenty-ninth G. A., Ch. 97, Sec. 2; Twenty-sixth G. A., Ch. 86, Sec. 2; Twentieth G. A., Ch. 132, Sec. 6.)

Sec. 2472. **Right to enter premises.** The commissioner of the bureau of labor statistics shall have the power to enter any factory or mill, workshop, mine, store, business house, public or private work, when the same is open or in operation, for the purpose of gathering facts and statistics such as are contemplated by this chapter, and to examine into the method of protection from danger to employes, and the sanitary conditions in and around such buildings and places, and make a record thereof. If the commissioner shall learn of any violation of, or neglect to comply with the law in respect to the employment of children or in respect to fire escapes, or the safety of employes, or for the preservation of health, he shall give written notice to the owner or person in charge of such factory or building, of such offense or neglect, and if the same is not remedied within sixty days after service of such notice, such officer shall give the county attorney of the county in which such factory or building is situated, written notice of the facts, whereupon that officer shall immediately institute the proper proceedings against the person guilty of such offense or neglect. And any owner or occupant of such factory or mill, workshop, mine, store, business house, public or private work, or any agent or employe of such owner or occupant, who shall refuse to allow any officer or employe of said bureau to so enter, or who shall hinder him, or in any way deter him from collecting in-

formation, shall be deemed guilty of a misdemeanor, and, upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not exceeding \$100 and costs of prosecution, or by imprisonment in the county jail not exceeding thirty days. (Twenty-sixth G. A., Ch. 86, Sec. 3; Twenty-ninth G. A., Ch. 97, Sec. 3; Thirty-fifth G. A., Ch. 196, Sec. 1.)

Sec. 2473. Meaning of terms. The expression "factory," "mill," "workshop," "mine," "store," "business house," and "public or private work," as used in this chapter, shall be construed to mean any factory, mill, workshop, mine, store, business house, public or private work, where five or more wage-earners are employed for a certain stipulated compensation. (Twenty-sixth G. A., Ch. 86, Sec. 4.)

Sec. 2474. Reports to bureau. It shall be the duty of every owner, operator or manager of every factory, mill, workshop, mine, store, business house, public or private work, or any other establishment where labor is employed, as herein provided, to make to the bureau, upon blanks furnished by said bureau, such reports and returns as said bureau may require for the purpose of compiling such labor statistics as are contemplated in this chapter; and the owner, operator or business manager shall make such reports or returns within sixty days from the receipt of blanks furnished by the commissioner, and shall certify under oath to the correctness of the same.

Any owner, operator, or manager of such factory, mill, workshop, mine, store, business house, public or private work, as herein stated, who shall neglect or refuse within thirty days after the receipt of notice given by said commissioner to furnish to the commissioner of labor such reports or returns as may be required by the commissioner in order to enable him to fully comply with the duties enjoined upon him by section twenty-four hundred seventy (2470) supplement to the code, 1907, and amendments thereto and supplementary thereof, shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be punished by a fine not exceeding \$100 and cost of prosecution, or imprisonment in the county jail not exceeding thirty days. (Twentieth G. A., Ch. 132, Sec. 5; Thirty-fifth G. A., Ch. 196, Sec. 2.)

Sec. 2475. Use of information. In the reports of the commissioner no use shall be made of names of individuals, firms or corporations supplying the information called for by section twenty-four hundred and seventy and twenty-four hundred and seventy-one of this chapter, such information being deemed confidential and not for the purpose of disclosing personal affairs; and any officer or employe of the bureau of labor statistics violating this provision shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in a sum not exceeding five hundred dollars and costs of prosecution, or by imprisonment in the county jail not exceeding one year. (Twentieth G. A., Ch. 132, Sec. 6.)

Sec. 2476. Reports and records preserved. No report or return made to said bureau in accordance with the provisions of this chapter, and no schedule, record or document gathered or returned by its officers or employes, shall be destroyed within two years of the collection or receipt thereof. At the expiration of two years all records, schedules or papers accumulating in said bureau during said period that may be considered of no value by the commissioner may be destroyed, provided the authority of the executive council be first obtained for such destruction. (Twentieth G. A., Ch. 132, Sec. 7.)

Sec. 2477. Compensation and expenses. The commissioner of the bureau of labor statistics shall receive a salary of eighteen hundred dollars (\$1800) per annum and shall be allowed a deputy at a salary of fifteen hundred dollars (\$1500) per annum payable monthly; he shall also be allowed three (3) factory inspectors, one of whom shall be a woman, at a salary of one hundred dollars (\$100) per month each, one office clerk at a salary of one thousand dollars (\$1,000) per annum. The woman factory inspector herein provided for shall, in addition to the general duties required of her, under the direction of the commissioner of the bureau of labor statistics, inspect the sanitary and general conditions under which the women and children are at work in all factories, workshops, hotels, restaurants, stores, and any other places where women and children are employed; collect statistics and make recommendations and report the same to the commissioner of

labor, who shall make special reference thereto in his biennial report to the governor; and said woman factory inspector shall render any other or additional service under the direction of the labor commissioner as will tend to promote the health and general welfare of the women and children employees of this state. The appointment by the commissioner of such factory inspectors shall be subject to the approval of the executive council. Said commissioner shall be allowed the necessary postage, stationery and office expenses. The said salaries and expenses shall be paid as the salaries and expenses of other state officers are provided for. The commissioner or any officer or employe of the bureau of labor statistics shall be allowed in addition to his salary his actual and necessary traveling expenses while in the performances of his duties, said expenses to be audited by the executive council and paid out of the general fund of the state upon a voucher verified by the commissioner or his deputy. But the total amount of the expenses for the officers and employes of said bureau other than the salaries of the commissioner, his deputy, the factory inspectors and clerk, shall not exceed four thousand dollars (\$4000) per annum. (Twentieth G. A., Ch. 132, Secs. 1-4; Thirtieth G. A., Ch. 85; Thirty-second G. A., Chs. 126-127; Thirty-third G. A., Ch. 144; Thirty-fifth G. A., Ch. 196, Sec. 3.)

CHAPTER 196, SECTION 4.

REPORT OF ACCIDENTS.

Section 4. **Record of accidents—report—failure—penalty.** Manufacturers, manufacturing corporations, proprietors or corporations operating any mercantile establishments, mills, workshops, mines other than those subject to inspection by the state mine inspector, or business houses, shall keep a careful record of any accidents occurring to an employe while at work for the employer, when such accident results in the death of the employe or in such bodily injury as will or probably may prevent him from returning to work within four days thereafter. The said record shall at all times be open to inspection by any inspector of the bureau of labor statistics. Within forty-eight hours after the oc-

currence of an accident, the record of which is herein required to be kept, a written report thereof shall be forwarded to the commissioner of the bureau of labor statistics, and said commissioner may require further and additional report to be furnished him should the first report be by him deemed insufficient. No statement contained in any such report shall be admissible in any action arising out of the accident therein reported. Any employer who fails to keep the record or to furnish the report as herein provided shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than five dollars (\$5) nor more than one hundred dollars (\$100) and costs of prosecution.

EMPLOYMENT OF CHILD LABOR.

Section 2477-a. Child labor in factories, mills, etc.—age limitation. No person under fourteen years of age shall be employed with or without wages or compensation in any mine, manufacturing establishment, factory, mill, shop, laundry, slaughter house or packing house, or in any store or mercantile establishment where more than eight persons are employed, or in the operation of any freight or passenger elevator.

Sec. 2477-b. Where life and health are endangered—age limitation. No person under sixteen years of age shall be employed at any work or occupation by which, by reason of its nature or the place of employment, the health of such person may be injured, or his morals depraved, or in any work in which the handling or use of gunpowder, dynamite or other like explosive is required, and no female under sixteen years of age shall be employed in any capacity where the duties of such employment compel her to remain constantly standing.

Sec. 2477-c. Hours of labor—noon intermission. No person under sixteen years of age shall be employed at any of the places or in any of the occupations recited in section 1 hereof before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening, and if such person is employed exceeding five hours of each day, a noon intermission of not less than thirty minutes shall be given between the hours

of eleven and one o'clock, and such person shall not be employed more than ten hours in any one day, exclusive of the noon intermission, but the provisions of this section shall not apply to persons employed in husking sheds or other places connected with canning factories where vegetables or grain are prepared for canning and in which no machinery is operated.

Sec. 2477-d. List posted. Every person, firm or corporation having in its employ, at any of the places or in any of the occupations recited in section one of this act, any persons under sixteen years of age, shall cause to be posted at some conspicuous location at the place of such employment, and where same shall be accessible to inspection at all times during business hours, a list of the names of such persons, giving after each name, the date of the birth of such person and the date when employed.

Any officer whose duty it is to enforce the provisions of this act shall have authority to demand of employers, proof of age of any child employed in their establishment; such proof shall be an authenticated birth record, and if there is no such record, then a baptismal record fully attested, that will establish the age of the child, and if there is no such record, a school record that will establish the age of the child, attested by a superintendent, principal, or teacher; where no such proof is obtainable, a parents' affidavit, together with affidavits made by two disinterested persons, who are in no way related to either the child or his employers, establishing date of birth may be accepted, and if no such proof is furnished, such child shall forthwith be dismissed from his employment. (Thirty-first G. A., Ch. 103, Sec. 4; Thirty-third G. A., Ch. 145.)

Sec. 2477-e. False statement—other violations—penalty. Any parent, guardian or other person, who having under his control any person under sixteen years of age causes or permits said person to work or be employed in violation of the provisions of this act, or any person making, certifying to, or causing to be made or certified to, any statement, certificate or other paper for the purpose of procuring the employment of any person in violation of the provisions of this act, or who makes, files, executes or delivers any such

statement, certificate or other paper containing any false statement for the purpose of procuring the employment of any person in violation of this act, or for the purpose of concealing the violation of this act in such employment, and every person, firm or corporation, or the agent, manager, superintendent, or officer of any person, firm or corporation, whether for himself or such person, firm or corporation, either by himself or acting through any agent, foreman, superintendent or manager, who knowingly employs any person or permits any person to be employed in violation of the provisions of this act, or who shall refuse to allow any authorized officer or person to inspect any place of business under the provisions of this act, if demand is made therefor at any time during business hours, or who shall wilfully obstruct such officer or person while making such inspection, or who shall fail to keep posted the lists containing the names of persons employed under sixteen years of age, and other information as required by this act or who shall knowingly insert any false statement in such list, or who violates any other provision of this act, shall be deemed guilty of a misdemeanor, and upon being found guilty thereof, shall be fined not to exceed one hundred dollars or be imprisoned in the county jail not to exceed thirty days.

Sec. 2477-f. **Enforcement.** It shall be the duty of the commissioner of the bureau of labor statistics to enforce the provisions of this act, and such commissioner and his deputies, factory inspectors, assistants and other persons authorized by him in writing, state mine inspectors, and county attorneys, mayors, chiefs of police and police officers, acting under their written directions, city and town marshals, sheriffs and their deputies within the territories where they exercise their official functions, and any person having authority therefor in writing from the judge of a court of record within the territory over which such judge has jurisdiction, shall have authority to visit any of the places enumerated in section 1 of this act, and make an inspection thereof to ascertain if any of the provisions of this act are violated or any person unlawfully employed thereat, and such persons shall not be interfered with or prevented from asking questions of any persons found at the place being in-

spected by them with reference to the provisions of this act. It shall be the duty of the county attorney to investigate all complaints made to him of the violation of this act, and to attend and prosecute at the trial of all cases for its violation upon any information that may be filed within his county.

Sec. 2477-g **Repeal—acts in conflict.** All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

EMPLOYMENT OFFICES OR BUREAUS

Sec. 2477-h. **Failure to procure employment—fees returned.** Every person, firm or corporation who shall agree or promise, or who shall advertise through the public press, or by letter, to furnish employment or situations to any person or persons, and in pursuance of such advertisement, agreement or promise, shall receive any money, personal property or other valuable thing whatsoever, and who shall fail to procure for such person or persons acceptable situations or employment as agreed upon, within the time stated, or agreed upon, or if no time is specified then within a reasonable time, shall upon demand return all such money, personal property or valuable consideration of whatever character, except an amount not to exceed one dollar to be charged as a filing fee.

Sec. 2477-i. **Copy of application or agreement furnished applicant.** It shall be unlawful for any person, firm or corporation to receive any application for employment from, or enter into any agreement with, any person to furnish or procure for said person any employment unless there is delivered to any such person making such application or contract at the time of the making thereof a true and full copy of such application or agreement, which application or agreement shall specify the fee or consideration to be paid by the person seeking employment.

Sec. 2477-j. **Division of fees between employment bureau and employer prohibited.** It shall be unlawful for any person, firm or corporation or any person employed or authorized by such person, firm or corporation to hire or discharge employes, to receive any part of any fee or any percentage of wages or any compensation of any

kind whatever, that is agreed upon to be paid by any employe of said person, firm or corporation to any employment bureau or agency for services rendered to any such employe in procuring for him employment with said person, firm or corporation.

Sec. 2477-k. Investigation by labor commissioner. The commissioner of the bureau of labor statistics, or his deputy, shall have authority to examine at any time the records, books and any papers relating in any way to the conduct of any employment agency or bureau within the state, and must investigate any complaint made against any such employment agency or bureau, and if any violations of law are found he shall at once file or cause to be filed an information against any person, firm or corporation guilty of such violation of law.

Sec. 2477-l. Penalty. Any person, firm or corporation violating any of the provisions of this act, or who shall refuse access to records, books or other papers relative to the conduct of such agency or bureau, to any person having authority to examine same, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars (\$100.00), or imprisonment in the county jail not to exceed thirty days.

FACTORY INSPECTION.

Sec. 4999. Seats for female employes. All employers of females in any mercantile or manufacturing business or occupation shall provide and maintain suitable seats, when practicable, for the use of such female employes, at or beside the counter or work-bench where employed, and permit the use thereof by such employes to such extent as the work engaged in may reasonably admit of. Any neglect or refusal to comply with the provisions of this section by any employer shall be punished by a fine not exceeding ten dollars. (Twenty-fourth G. A., Ch. 47.)

Sec. 4999-a1. Water closets or privies—washing facilities. Every manufacturing establishment, work shop or hotel in which five or more persons are employed, shall be provided with a sufficient number of water-closets, earth closets

or privies for the reasonable use of the persons employed therein, which shall be properly screened and ventilated and kept at all times in a clean condition, and free from all obscene writing or marking; and such water-closets or privies shall be supplied in the proportion of at least one, (1), to every twenty, (20), employes; and if women or girls are employed in such establishments, the water closets, earth closets or privies used by them shall have separate approaches and be separate and apart from those used by the men. In factories, mercantile establishments, mills and workshops, adequate washing facilities shall be provided for all employes; and when the labor performed by the employes is of such character as to require or make necessary a change of clothing, wholly or in part, by the employes, there shall be provided a dressing room, or rooms, lockers for keeping clothing and suitable washing facilities separate for each sex, and no person, or persons, shall be allowed to use the facilities assigned to the opposite sex; a sufficient supply of water suitable for drinking purposes shall be provided. (Twenty-ninth G. A., Ch. 149, Sec. 1; Thirty-fourth G. A., Ch. 171.)

Sec. 4999-a2. **Duties of parties in charge.** It shall be the duty of the owner, agent, superintendent or other person having charge of any manufacturing or other establishment where machinery is used, to furnish and supply or cause to be furnished and supplied therein, belt shifters or other safe mechanical contrivances for the purpose of throwing belts on and off pulleys, and, wherever possible, machinery therein shall be provided with loose pulleys; all saws, planers, cogs, gearing, belting, shafting, set screws and machinery of every description therein shall be properly guarded. No person under sixteen years of age, and no female under eighteen years of age shall be permitted or directed to clean machinery while in motion.

Children under sixteen years of age shall not be permitted to operate or assist in operating dangerous machinery of any kind. (Twenty-ninth G. A., Ch. 149, Sec. 2.)

Sec. 4999-a3. **Assumption of risks.** That in all cases where the property, works, machinery, or appliances of an employer are defective or out of repair, and where it is the duty of the em-

ployer from the character of the place, work, machinery or appliances to furnish reasonably safe machinery, appliances or place to work, the employe shall not be deemed to have assumed the risk, by continuing in the prosecution of the work, growing out of any defect as aforesaid, of which the employe may have had knowledge when the employer had knowledge of such defect, except when in the usual and ordinary course of his employment it is the duty of such employe to make the repairs, or remedy the defects. Nor shall the employe under such conditions be deemed to have waived the negligence, if any, unless the danger be imminent and to such extent that a reasonably prudent person would not have continued in the prosecution of the work; but this statute shall not be construed so as to include such risks as are incident to the employment. And no contract which restricts liability hereunder shall be legal or binding. (Thirty-second G. A., Ch. 181; Thirty-third G. A., Ch. 219.)

Sec. 4999-a4. **Blowers and pipes.** All persons, companies or corporations operating any factory or workshop where emery wheels or emery belts of any description, or tumbling barrels used for rumbling or polishing castings, are used, shall provide the same with blowers and pipes of sufficient capacity, placed in such a manner as to protect the person or persons using same from the particles of dust produced or caused thereby, and to carry away said particles of dust arising from or thrown off such wheels, belts or tumbling barrels while in operation, directly to the outside of the building, or to some receptacle placed so as to receive or confine such particles or dust; provided, however, that grinding machines upon which water is used at the point of grinding contact, and small emery wheels which are used temporarily for tool grinding, are not included within the provisions of this section, and the shops employing not more than one man at such work may, in the discretion of the commissioner of the bureau of labor of the state, be exempt from the provisions hereof. Any factory, workshop, print-shop or other place where molten metal or other material which gives off deleterious gases or fumes is kept or used shall be equipped with pipes or flues so arranged as to

give easy escape to such gases or fumes into the open air, or provided with other adequate ventilators. (Twenty-ninth G. A., Ch. 149, Sec. 3; Thirty-fifth G. A., Ch. 306.)

Sec. 4999-a5. **Enforcement — penalty — removal safeguards.** It shall be the duty of the commissioner of the bureau of labor of the state, and the mayor, and chief of police of every city or town, to enforce the provisions of the foregoing sections. Any person, whether acting for himself or for another or for a co-partnership, joint stock company or corporation, having charge or management of any manufacturing establishment, work shop or hotel, who shall fail to comply with the provisions of said sections, within thirty days after being notified in writing to do so, by any one of said officers whose duty it may be to enforce the provisions of said sections, shall be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail not exceeding thirty days.

Whenever any person, in any manufacturing or other establishment wherein machinery is used and wherein or whereon guards or safety appliances have been provided, shall remove such guards or safety appliances from any machine or other equipment or shall so adjust such guards or safety appliances as to destroy their purpose of preventing bodily injuries, excepting whenever it becomes necessary to remove some or all of the guards, including springs or pressure bars that may properly come under this act, to enable the employe operating said machine to perform certain special work that cannot be performed with guard, it shall be the duty of said employe or employer to immediately replace them after said work has been completed. Any person, who may neglect or refuse to comply with the provisions of this act, shall be punished by a fine of not less than five (\$5.00), dollars, or more than one hundred (\$100), dollars, or by imprisonment in the county jail not to exceed thirty, (30), days. (Twenty-ninth G. A., Ch. 149, Sec. 3; Thirty-fourth G. A., Ch. 172.)

STEAM BOILERS.

Sec. 5026. **Steam boilers.** Any person owning or operating steam boilers in this state shall provide the same with steam-gauge, safety-valve and water-gauge, and keep the same in good order. Any person neglecting so to do shall be fined not less than fifty nor more than five hundred dollars. (Fifteenth G. A., Ch. 14.)

CONSTRUCTION OF FIRE ESCAPES.

Sec. 4999-a6. **Protection against fire—means of escape.** The owners, proprietors and lessees of all buildings, structures or enclosures of three or more stories in height, now constructed or hereafter to be erected, shall provide for and equip said buildings and structures with such protection against fire and means of escape from such buildings as shall hereafter be set forth in this bill. (Thirtieth G. A., Ch. 136, Sec. 1.)

Sec. 4999-a7. **Buildings and enclosures—how classified.** The buildings, structures and enclosures contemplated in this act shall be classified as follows:

First. Hotels, office buildings or lodging rooms, including boarding houses in which sleeping rooms are kept for rent or hire, of three or more stories in height.

Second. Tenements or boarding houses, of three or more stories in height, occupied by one or more families or aggregating twenty (20) persons or more; provided that a mansard roof or attic, when used for sleeping rooms, shall be counted as one story.

Third. Buildings used as opera houses, theaters or public halls, of a seating capacity exceeding three hundred (300).

Fourth. Seminaries and colleges public school buildings hospitals and asylums of three or more stories in height.

Fifth. Manufactories, warehouses and buildings of all character of three or more stories in height, not specified in the foregoing sections.

Sixth. Hotels and other buildings which are of strictly fireproof construction. (Thirtieth G. A., Ch. 136, Sec. 2; Thirty-fifth G. A., Ch. 305.)

Sec. 4999-a8. Fire escapes and stairways. Each twenty-five hundred (2500) superficial feet of area, or fractional part thereof, covered by buildings or structures specified under classification 1, of section 2, of this act, shall be provided with one ladder fire escape of steel or wrought iron construction, attached to the outer wall thereof, and provided with platforms of steel or wrought iron construction of such size and dimensions and such proximity to one or more windows of each story above the first with all doors leading thereto of half glass locked in such manner as to render access to such ladder from each story easy and safe, and with red lights to designate location of escapes said ladder to start about five feet from the ground and extend above the roof, or a drop ladder may be hung at the second story in such a manner that it can be easily lowered in case of necessity, provided, however, that where such buildings shall be occupied by more than twenty (20) persons, the said building shall as a substitute for one ladder be provided with one stairway of steel or wrought iron construction with above described platforms, accessible from each story with a drop or counter-balance stairway from the second story balcony to the ground, or a stationary stairway may be carried down to within five feet from the ground. Buildings under classification 2 of section 2 of this act shall be provided for in the same manner as those under the head of classification 1. Buildings under classification 3, of section 2, of this act shall be provided with at least one of the above described outside stairways, or such a number of exits or such a number of above described stairways as may be determined by the chief of fire department, or the mayor of each city or town where no such chief of fire department exists. Each twenty-five hundred (2500) superficial feet of area or fractional part thereof covered by buildings, structures or enclosures under classification 4 of section 2 of this act, shall be provided for in the same manner as those under the head of classification 3. Each twenty-five hundred (2500) superficial feet of area or fractional part thereof covered by buildings, structures or enclosures under classification 5, section 2, of this act shall be provided with at least one above described outside stairway,

provided, however, that if there be living or sleeping quarters for more than twenty-five (25) persons in such building, then there shall be at least two of the above described outside stairways. Each five thousand (5000) superficial feet of area, or fractional part thereof covered by buildings under classification 6, section 2 of this act, shall be provided with at least one above described ladder, and platforms at each story, if not more than twenty (20) persons be employed in the same. If more than twenty (20) persons be employed, then there shall be at least two of the above described ladders, and platforms attached, or one such stairway, and platforms of sufficient size at each story, and if more than forty (40) persons be employed in said building, then there shall be at least two, or such number of the above described outside stairways as the chief of fire department, or the mayor of any city or town where no such chief of fire department exists, may from time to time determine. Each six thousand (6,000) superficial area or fractional part thereof covered by buildings specified in classification seventh (sixth) of this act, shall be provided with one steel or wrought iron ladder fire escape with platform constructed, located and attached to such building in the manner herein provided.

Sec. 4999-a9. **Signs—entrance and exit doors to open outward.** In buildings under all above classifications signs indicating location of fire escapes shall be posted at all entrances to elevators, stairway landings and in all rooms. The entrance and exit doors of all hotels, churches, lodge halls, court houses, assembly halls, theatres, opera houses, colleges and public school houses, and the entrance doors to all class and assembly rooms in all public school buildings, in all cities and incorporated towns, shall open outward. Thirtieth G. A., Ch. 136, Sec. 4; Thirty-third G. A., Ch. 220.)

Sec. 4999-a10. **Enforcement—penalty.** It is hereby made the duty of commissioner of the bureau of labor statistics, the chief of fire department, or the mayor of each city or town where no such chief of fire department exists, or the chairman of the board of supervisors, in case such building is not within the corporate limits of any city or town, to adopt uniform specifica-

tions for fire escapes hereinbefore provided, and keep such specifications on file in their respective offices, and to serve or cause to be served a written notice in behalf of the state of Iowa upon the owner or owners, or their agents or lessees, of buildings within this state not provided with fire escapes in accordance with the provisions of this act, commanding such owner, owners, or agents or either of them, to place or cause to be placed upon said buildings, such fire escape or fire escapes as are provided in this act within sixty days after service of such notice, pursuant to the specifications established. Any such owner, owners' agents, trustees and lessees or either or any of them so served with notice as aforesaid, who shall not within sixty days after the service of said notice upon him or them, place or cause to be placed such fire escape or fire escapes upon such buildings as required by this act and the terms of said notice, shall be subject to a fine not less than fifty (\$50) dollars, and not more than one hundred (\$100) dollars, and shall be subject to a further fine of twenty-five (\$25) dollars for each additional week of neglect to comply with such notice. Any owner, agent, trustee or lessee having charge of any building that is not equipped as provided in section forty-nine hundred and ninety-nine-a-9 (499-a-9) of the supplement to the code, 1907, as amended, who shall refuse or neglect to comply with the provisions of said section, shall be punished by a fine of not less than twenty-five dollars (\$25.00) and not to exceed one hundred dollars (\$100.00). (Thirtieth G. A., Ch. 136, Sec. 5; Thirty-fourth G. A., Ch. 173.)

Sec. 4999-a11. **Inspection.** All fire escapes erected under the provisions of this act shall be subject to inspection and approval or rejection in writing, by the person named in section 4 of this act who has caused such written notice to be served.

DANGEROUS FLUIDS.

Sec. 4999-a13. **Use of dangerous fluids forbidden.** That it shall be unlawful for any person to establish or operate any dye works, pantorium, or cleaning works, in which gasoline, benzine, naphtha, or other explosive or dangerous fluids are used for the purpose of cleaning or ren-

ovating wearing apparel or other fabrics, in any building any part of which is used as a residence or lodging house. (Twenty-eighth G. A., Ch. 130, Sec. 1.)

Sec. 4999-a14. **Penalty.** Any person convicted of violating the provisions of the foregoing section shall be fined in a sum not exceeding fifty (50) nor less than ten (10) dollars. (Twenty-eighth G. A., Ch. 130, Sec. 2.)

CHAPTER 292, ACTS 35 G. A.

BOARD OF ARBITRATION FOR SETTLEMENT OF DISPUTES BETWEEN EMPLOYERS AND EMPLOYES.

H. F. 611.

AN ACT authorizing the appointment of a board of arbitration and conciliation for the settlement of disputes between employers and employees, providing the powers, duties and compensation of such board and setting forth the manner in which the investigation of disputes shall be made and the publication and recording of the decision and finding of said board and making appropriation therefor. [Additional to chapter fourteen (14) of title twenty-one (XXI) of the code, relating to arbitration.]

Be it enacted by the General Assembly of the State of Iowa:

Section 1. Board of arbitration—petition filed with governor. Whenever any dispute arises between any person, firm, corporation, or association of employers and their employees or association of employees, of this state, except employers or employees having trade relations directly or indirectly based upon inter-state trade relations operating through or by state or international boards of conciliation, which has or is likely to cause a strike or lockout, involving ten (10) or more wage earners and the parties thereto are unable to adjust the same, and which does or is likely to interfere with the due and ordinary course of business, or which menaces the public peace, or which jeopardizes the welfare of the community, either or both parties to the dispute, or the mayor of the city, or the chairman of the board of supervisors of the county in which said

employment is carried on, or on petition of any twenty-five (25) citizens thereof, over the age of twenty-one (21) years, or the commissioner of the bureau of labor, after investigation, may make written application to the governor for the appointment of a board of arbitration and conciliation, to which board such dispute may be referred under the provisions of this act. Provided, however, the manager of the business of any person, firm, corporation or association of such employers, or any organization representing such employees, or if such employees are not members of any organization, then a majority of such employees affected may make the application as provided in this act, but in no case shall more than twenty (20) employees be required to join in such application.

Sec. 2. Arbitrators — how appointed. The governor shall at once upon application made to him as herein provided and upon his being satisfied that the dispute comes within the provisions of section one (1) of this act, notify the parties to the dispute of the application for the appointment of a board of arbitration and conciliation and make request upon each party to the dispute that each of them recommend within three (3) days from the date of notice, the names of five (5) persons who have no direct interest in such dispute and are willing and ready to act as members of the board, and the governor shall appoint from each list submitted one (1) of such persons recommended. Should either of the parties fail or neglect to make any recommendation within the said period, the governor shall, as soon thereafter as possible, appoint a fit person who shall be deemed to be appointed on the recommendation of either of the said parties. The members of the board so appointed shall within five (5) days of their appointment recommend to the governor the name of one (1) person who is ready and willing to act as a third member of the board, and upon failure or neglect upon their part to make such recommendation within the said period, or upon the failure or refusal of the person so recommended to act, the governor shall as soon thereafter as possible appoint some person to act as the third member of the board.

Sec. 3. Application—terms binding. In all cases when the application is made by both parties to the dispute, they shall set forth in the application whether or not they agree to be bound by the decision of the board of arbitration and conciliation; and if both parties agree to be so bound by such decision, then the same shall be binding and enforceable as set out in section seven (7) of this act.

Sec. 4. Oath—organization—compensation. Each member of the board, shall, before entering upon the duties of his office, be sworn to a faithful and impartial discharge thereof: They shall organize at once by the choice of one (1) of their number as chairman, and one (1) of their number as secretary, and shall have power to employ all necessary clerks and stenographers to properly carry out the duties of their appointment. The members of the board shall receive a compensation of five dollars (\$5.00) per diem for the time actually employed, together with their traveling and other necessary expenses, the same to be payable out of the state treasury upon warrants drawn by the state auditor.

Sec. 5. Evidence—authority to summon witnesses—fees—how paid. For the purpose of this inquiry the board shall have all the powers of summoning before it and enforcing the attendance of witnesses, of administering oaths and of requiring witnesses to give evidence or solemn affirmation and to produce books, papers and other documents or things as the board may deem requisite to the full investigation of the matters into which it is inquiring, as is vested in the district court in civil cases.

Any member of the board may administer an oath, and the board may accept, admit and call for such evidence as in equity and good conscience it thinks fit, whether strictly legal evidence or not.

A subpoena or any notice may be delivered or sent to any sheriff, constable or any police officer who shall forthwith serve the same, and make due return thereof, according to directions. Witnesses in attendance and officers serving subpoenas or notices shall receive the same fees as are allowed in the district court, payable from the state treasury, upon the certificate of the

board that such fees are due and correct, upon warrants drawn by the auditor of state. The board shall have the same power and authority to maintain and enforce order at the hearings and obedience to its writs of subpoena as is by law conferred upon the district court for like purposes.

Sec. 6. Investigation — written decision — where filed—open for public inspection. The board shall as soon as practical, visit the place where the controversy exists, and make careful inquiry into the cause, and the said board may, with the consent of the governor conduct such inquiry beyond the limits of the state. The board shall hear all persons interested who come before it, advise the respective parties what ought to be done or submitted to by either or both of the parties to the dispute to adjust said controversy, and make a written decision thereof, which shall at once be made public and open to public inspection and shall be recorded by the secretary of the board, and a copy of such report shall be filed in the office of the clerk of the city or town in which the controversy arose and shall be open for public inspection.

Sec. 7. Investigation — time limited — decision—binding for one year. The board of arbitration and conciliation shall within ten (10) days from the date of their appointment unless such time shall be extended by the governor, complete the investigation of any controversy submitted to them, and during the pendency of such period neither party shall engage in any strike or lockout. Any decision made by the board shall date from the date of the appointment of the board and shall be binding upon the parties who join in the application as herein provided for a period of one year.

Sec. 8. Decision—where filed—publication. Within five (5) days after the completion of the investigation, unless the time is extended by the governor for good cause shown the board or a majority thereof shall render a decision, stating such details as will clearly show the nature of the controversy and the points disposed of by them, and make a written report to the governor of their findings of fact and of their recommendation to each party to the controversy. Every de-

cision and report shall be filed in the office of the governor, and a copy served upon each party to the controversy, and a copy furnished to the labor commissioner for publication in the report of the bureau of labor and shall be published at a rate of not to exceed thirty-three and one-third (33 1-3) cents per ten (10) lines of brevier type or its equivalent, in two (2) newspapers of general circulation in the county in which the business is located upon which the dispute arises. All evidence taken and exhibits and documents offered shall be carefully preserved and at the close of the investigation shall be filed in the office of the governor of the state and shall only be subject to inspection upon his order.

Sec. 9. Expenses—how paid. The expenses incurred under the provisions of this act shall be audited by the executive council and shall be paid out of any money in the state treasury not otherwise appropriated upon warrants drawn by the auditor of state.

Sec. 10. In effect. This act, being deemed of immediate importance shall be in force from and after its passage and publication in the Register and Leader and the Des Moines Capital, newspapers published at Des Moines, Iowa.

Approved April 18 A. D. 1913.

