

# A BILL

FOR AN ACT TO AUTHORIZE THE CREATION AND TO PROVIDE FOR THE OPERATION OF TRIBUNALS OF VOLUNTARY ARBITRATION TO ADJUST INDUSTRIAL DISPUTES BETWEEN EMPLOYERS AND EMPLOYED.

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

SECTION 1. That the District Court of each county, or a judge thereof in vacation, shall have the power, and upon the presentation of a petition, or of the agreement hereinafter named, it shall be the duty of said court, or a judge thereof in vacation, to issue in the form hereinafter named, a license or authority for the establishment within and for each county of tribunals for voluntary arbitration and settlement of disputes between employers and employed in the manufacturing, mechanical, or mining industries.

SEC. 2. The said petition or agreement shall be substantially in the form hereinafter given, and the petition shall be signed by at least twenty persons employed as workmen, and by four or more separate firms, individuals, or corporations within the county, or by at least four employers, each of whom shall employ at least ten workmen, or by the representative of a firm, corporation, or individual employing not less than forty men in their trade or industry; *provided*, that at the time the petition is presented, the judge before whom said petition is presented, may, upon motion, require testimony to be taken as to the representative character of said petitioners, and if it appears that the said petitioners do not represent the will of a majority, or at least one-half of each party to the dispute, the license for the establishment of said tribunal may be denied, or may make such other order in this behalf as to him shall seem fair to both sides.

SEC. 3. If the said petition shall be signed by the requisite number of both employers and workmen, and be in proper form and contain the names of the persons to compose the tribunal, being an equal number of employers and workmen, the Judge shall forthwith cause to be issued a license substantially in the form hereinafter given, authorizing the existence of such tribunal and fixing the time and place of the first meeting thereof, and an entry of the license so granted shall be made upon the journal of the District Court of the county in which the petition originated.

SEC. 4. Said tribunal shall continue in existence for one year from date of the license creating it, and may take jurisdiction of any dispute between employers and workmen in any mechanical, manufacturing, or mining industry, or business, who shall have petitioned for the tribunal, or have been represented in the petition therefor, or who may submit

5 their disputes in writing to such tribunal for decision. Vacancies occurring in the member-  
6 ship of the tribunal shall be filled by the Judge or court that licensed said tribunal, from  
7 three names, presented by the members of the tribunal remaining in that class, in which  
8 the vacancies occur. The removal of any member to an adjoining county, shall not cause a  
9 vacancy in either the tribunal or post of umpire. Disputes occurring in one county may be  
10 referred to a tribunal already existing in an adjoining county. The place of umpire in any  
11 of said tribunals and vacancies occurring in such place, shall only be filled by the mutual  
12 choice of the whole of the representatives, of both employers and workmen constituting the  
13 tribunal, immediately upon the organization of the same. The umpire shall be called upon  
14 to act after disagreement is manifested in the tribunal by failure during three meetings  
15 held and full discussion had. His award shall be final and conclusive upon such matters  
16 only as are submitted to him in writing and signed by the whole of the members of the tri-  
17 bunal, or by parties submitting the same.

SEC. 5. The said tribunal shall consist of not less than two employers or their repre-  
2 sentatives and two workmen. The exact number which shall in each case constitute the  
3 tribunal, shall be inserted in the petition or agreement, and they shall be named in the  
4 license issued. The said tribunal, when convened, shall be organized by the selection of  
5 one of their members as chairman and one as secretary, who shall be chosen by a majority  
6 of the members, or if such majority cannot be had after two votes, then by secret ballot, or  
7 by lot, as they prefer.

SEC. 6. The members of the tribunal shall receive no compensation for their services from  
2 the city or county, but the expenses of the tribunal, other than fuel, light and the use of the  
3 room and furniture, may be paid by voluntary subscription, which the tribunal is author-  
4 ized to receive and expend for such purposes. The sessions of said tribunal shall be held  
5 at the county seat of the county where the petition for the same was presented, and a room  
6 in the court house for the use of said tribunal shall be provided by the county Board of  
7 Supervisors.

SEC. 7. When no umpire is acting, the chairman of the tribunal shall have power to  
2 administer oaths to all witnesses who may be produced, and a majority of said tribunal may  
3 provide for the examination and investigation of books, documents and accounts pertain-  
4 ing to the matters in hearing before the tribunal, and belonging to either party to the dis-  
5 pute; *provided*, that the tribunal may unanimously direct that instead of producing books,  
6 papers and accounts before the tribunal, an accountant agreed upon by the entire tribunal  
7 may be appointed to examine such books, papers and accounts, and such accountant shall be  
8 sworn to well and truly examine such books, documents and accounts, as may be presented  
9 to him, and to report the results of such examination in writing to said tribunal. Before  
10 such examination the information desired and required by the tribunal shall be plainly

11 stated in writing and presented to said accountant, which statement shall be signed by the  
12 members of said tribunal, or by a majority of each class thereof. Attorneys at law or other  
13 agents of either party to the dispute, shall not be permitted to appear or take part in any  
14 of the proceedings of the tribunal, or before the umpire.

SEC. 8. When the umpire is acting he shall preside, and he shall have all the power of the  
2 chairman of the tribunal; and his determination upon all questions of evidence, or other  
3 questions, in conducting the inquiries there pending, shall be final. Committees of the  
4 tribunal consisting of an equal number of each class may be constituted to examine into any  
5 question in dispute between employers and workmen which may have been referred to said  
6 committee by the tribunal, and such committee may hear and settle the same finally, when  
7 it can be done by a unanimous vote; otherwise the same shall be reported to the full  
8 tribunal, and be there heard as if the question had not been referred. The said tribunal in  
9 connection with the said umpire shall have power to make or ordain and enforce rules for  
10 the government of the body when in session to enable the business to be proceeded with, in  
11 order, and to fix its sessions and adjournments, but such rules shall not conflict with this  
12 statute, nor with any of the provisions of the constitutions and laws of Iowa.

SEC. 9. Before the umpire shall proceed to act, the question or questions in dispute shall  
2 be plainly defined in writing and signed by the members of the tribunal, or a majority  
3 thereof of each class, or by the parties submitting the same, and such writing shall contain  
4 the submission of the decision thereof to the umpire by name, and shall provide that his  
5 decision thereon, after hearing shall be final. The umpire shall be sworn to impartially  
6 decide all questions that may be submitted to him during his term of office. The submission  
7 and his award may be made in the form hereinafter given, and said umpire must make  
8 his award within ten days from the time the question or questions in dispute are sub-  
9 mitted to him. Said award shall be made to the tribunal; and if the award is for a specific  
10 sum of money, said award may be made a matter of record by filing a copy thereof in the  
11 District Court of the county wherein the tribunal is in session. When so entered of record  
12 it shall be final and conclusive, and the proper court may, on motion of anyone interested  
13 enter judgment thereon; and when the award is for a specific sum of money, may issue  
14 final and other process to enforce the same.

SEC. 10. The form of the joint petition or agreement praying for a tribunal under this  
2 act shall be as follows :

3 To the District Court of . . . . . county, (or to a judge thereof as the case may be):  
4 The subscribers hereto being the number and having the qualification required in this  
5 proceeding, being desirous of establishing a tribunal of voluntary arbitration for the settle-  
6 ment of disputes in the (here name the branch of industry), trade, and having agreed  
7 upon A, B, C, D and E representing the employers, and G, H, I, J and K representing

8 the workmen as members of said tribunal, who each are qualified to act thereon, pray that  
 9 a license for a tribunal in the ..... trade may be issued to said persons named above.

EMPLOYERS.	NAMES.	RESIDENCE.	WORKS.	NO. EMPLOYED.
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....
.....	.....	.....	.....	.....

EMPLOYEES.	NAMES.	RESIDENCE.	BY WHOM EMPLOYED.
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

SEC. 11. The license to be issued upon such petition may be as follows :

2 STATE OF IOWA, }  
 3 ..... COUNTY. } ss.

4 *Whereas*, The joint petition and agreement of four employers, (or representatives of a  
 5 firm or corporation, or individual employing forty men as the case may be), and forty  
 6 workmen have been presented to this court (or if to a judge in vacation, so state), praying  
 7 the creation of a tribunal of voluntary arbitration for the settlement of disputes in the  
 8 workmen trade within this county and naming A, B, C, D and E, representing the employ-  
 9 ers ; and G, H, I, J and K, representing the workmen. Now in pursuance of the statute for  
 10 such case made and provided, said named persons are hereby licensed and authorized to be  
 11 and exist as a tribunal of voluntary arbitration for the settlement of disputes between  
 12 employers and workmen for the period of one year from this date, and they shall meet and  
 13 organize on the.....day of.....A. D. ....at.....

14 Signed this .... day of....., A. D.....

15 .....Clerk of the District Court of.....county.

SEC. 12. When the tribunal agrees to submit a matter in controversy to the umpire, it  
 2 may be in form as follows :

3 We, A, B, C, D and E, representing employers, and G, H, I, J and K, representing work-  
 4 men, composing a tribunal of voluntary arbitration, hereby submit and refer unto the  
 5 umpirage of L (the umpire of the tribunal of the.....trade), the following subject matter,  
 6 namely: (here state full and clear the matter submitted). And we hereby agree that his

