

Reported Recommending
Ind. Postponed
Passed Senate
Failed to Pass Senate
Passed House
Failed to Pass House

Senate File 347

February 25, 1947.
Passed on File.

By ZASTROW.

A BILL FOR

An Act to amend chapter ninety-one (91), Code 1946, relating to the bureau of labor.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. That chapter ninety-one (91), Code 1946, be
2 and the same is hereby amended by adding thereto the follow-
3 ing sections:

4 It shall be the duty of every person, firm, corporation,
5 contractor, or owners of property, or builder thereof, in
6 the erection, construction, repair or demolition of any
7 building or structure, to provide for the safety of all
8 workmen working upon said building, erection or structure,
9 and they shall adopt and use methods and processes reason-
10 ably adequate to render such work safe for said workmen or
11 workers, and shall do every other thing reasonably neces-
12 sary to protect the life, health and safety of said workmen
13 or employees.

1 Sec. 2. It shall be the duty of the Iowa state bureau
2 of labor, and all peace officers and building inspectors,
3 and their assistants, to inspect or cause to be inspected,
4 said building, erection, or structure, as often as may be

5 necessary in order to carry out the purpose of this act.

1 Sec. 3. If any authorized representative of the bureau
2 of labor, or any peace officer, or building inspector or
3 his assistant, finds that any machine, tool or equipment,
4 or any part thereof, or any scaffolding, or anything what-
5 soever used in the erection, construction, repair or demol-
6 ition of said building, erection or structure, is in a
7 dangerous condition, or is not properly guarded, or is
8 dangerously placed, he or they shall attach to such machine,
9 tool, equipment or structure, a warning notice warning persons
10 against the use thereof, setting out in complete detail the
11 condition which renders such machine, tool or equipment, or
12 structure, unfit and unsafe for workmen to perform work, with
13 or upon. Such notice shall not be removed except by an author-
14 ized representative of the bureau of labor, peace officer, or
15 building inspector, and his assistant, until the said machine,
16 tool or equipment, or structure, is made safe, and no work
17 shall be performed upon said structure, or no work performed
18 with said machine, tool or equipment, until the same is made
19 safe and said notice removed. The bureau of labor, any peace
20 officer or building inspector, or their assistants, shall,
21 upon the complaint of any person, or whenever he or they shall
22 deem it necessary, inspect all buildings and premises within
23 their jurisdiction, and whenever said persons shall find the
24 said building, machine, tool or equipment unsafe for workmen
25 to use or work upon, he or they shall order such dangerous

26 condition remedied.

1 Sec. 4. The service of such notice as mentioned in
2 section 3 need be made upon the occupant of the premises to
3 whom it is directed, or upon the owner thereof, the user of
4 said premises, or the contractor or his agent, who is erect-
5 ing, constructing, repairing or demolishing said building,
6 erection, or structure, and in case no such person is found
7 upon the premises, by affixing a copy thereof in a conspicuous
8 place on said building, erection, or structure, and whenever
9 it may be necessary to serve such notice, same may be served
10 either by delivering to and leaving with said person or
11 persons a copy of said notice, or by posting the same upon said
12 building, erection, or structure.

1 Sec. 5. In addition to such other powers and duties as
2 may be conferred by law, the bureau of labor shall have power
3 to make, modify and repeal reasonable rules for the prevention
4 of accidents, or of industrial or occupational diseases. The
5 labor commissioner may appoint a committee composed of employers,
6 employees and experts to suggest the rules or changes therein.
7 The rules of the bureau of labor shall have the force and effect
8 of laws and shall be enforced by said bureau of labor and all
9 persons chargeable with the enforcement of the same hereunder.

1 Sec. 6. Before any rule is adopted, amended or repealed,
2 there shall be a public hearing thereon, notice of which shall
3 be published at least once, not less than ten (10) days prior
4 thereto, in such newspaper or newspapers as the bureau of

5 labor may prescribe, and all rules shall take effect thirty (30)
6 days after the first publication thereof and after certified
7 copies of said rules shall be filed in the office of the
8 Secretary of State.

1 Sec. 7. It is the intent of this amendment to said
2 chapter ninety-one (91), Code 1946, to safeguard the life, health,
3 and limb of persons working upon said building, erection, or
4 structure, and with machines, tools and equipment used in the
5 erecting, constructing, repairing or demolition of said building,
6 erection, or structure.

1 Sec. 8. All rules shall be properly indexed and kept of
2 record in the office of the Bureau of Labor and in the office
3 of the Secretary of State.

1 Sec. 9. Any person affected by such rule or his agent
2 may petition the bureau of labor for a variation from said rule,
3 stating the ground thereof. The bureau of labor shall fix a
4 day for hearing on such petition and give reasonable notice to
5 the petitioner, and at the hearing, the petitioner may appear
6 by counsel and present evidence that said rule creates a hard-
7 ship, or is unnecessary.

1 Sec. 10. In case a notice is served upon any person, firm,
2 corporation, contractor, or owner of property, or builder there-
3 of, as provided herein, he or they may immediately appeal to
4 the bureau of labor concerning the subject matter of said notice,
5 and that it is the duty of the bureau of labor to set the same
6 down for hearing within ten (10) days from receipt of said

7 notice, and to notify all persons interested of said hearing.

8 The bureau of labor may prescribe reasonable rules for the

9 conduct of said hearing and shall decide the appeal upon its

10 merits.

1 Sec. 11. If any section, clause, sentence or any part of

2 this act is for any reason held to be unconstitutional, void

3 or invalid, such decision shall not affect the validity of the

4 remaining portions of the act.

1 Sec. 12. That all laws, or parts of laws in conflict

2 herewith, are hereby repealed.

1 Sec. 13. Any person, firm or corporation violating any

2 of the provisions of the above shall be fined not less than

3 twenty-five (\$25.00) dollars, nor more than one hundred (\$100.00)

4 dollars, or imprisoned in the county jail for not less than one (1)

5 day nor more than thirty (30) days, and each offense shall con-

6 stitute a separate violation.