

Sec. 120. Manner of making election. Any employee entitled to make an election as provided in the preceding section shall do so in writing signed by himself indicating the election, made and filed with the industrial commissioner within sixty (60) days after receiving an injury for which such employee is entitled to either compensation or damages. If such injured employee or one having the right to elect for him, fails to make an election within sixty (60) days, then and in that event it shall be conclusively presumed that the employee elected to accept compensation according to the schedule of compensation as provided in chapter three (3).

Sec. 121. Notice to employer of election. Within five (5) days after a written election has been filed in the office of the industrial commissioner as provided in the preceding section, the commissioner shall give notice thereof in writing to the employer by registered mail as provided for giving other notice by the commissioner.

Approved April 3, 1924.

CHAPTER 29  
HEALTH AND SAFETY APPLIANCES  
S. F. 43

AN ACT to amend, revise, and codify sections eight hundred fifty-nine (859), eight hundred sixty-one (861), eight hundred sixty-two (862), and eight hundred eighty-three (883) of the compiled code of Iowa, and section eight hundred sixty (860) of the supplement to said code, relating to health and safety appliances and industrial accidents.

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

That sections eight hundred fifty-nine (859), eight hundred sixty-one (861), eight hundred sixty-two (862), and eight hundred eighty-three (883) of the compiled Code of Iowa, and section eight hundred sixty (860) of the supplement to said Code are amended, revised, and codified to read as follows:

CHAPTER 4

HEALTH AND SAFETY APPLIANCES

Section 1. Enforcement. It shall be the duty of the commissioner of labor of the state, and the mayor and chief of police of every city or town, to enforce the provisions of this chapter.

Sec. 2. Water-closets-separate for each sex. Every manufacturing or mercantile establishment, workshop, or hotel in which five (5) 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) employees; and if women or girls are employed in such establishment, 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 or boys.

Sec. 3. Washing facilities--separate for each sex. In factories, mercantile establishments, mills, and workshops, adequate washing facilities shall be provided for all employees; and when the labor performed by the employees is of such character as to require or make necessary a change of clothing, wholly or in part, by the employees, there shall be provided a dressing room, or rooms, lockers for keeping clothing, and adequate 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.

Sec. 4. Seats for female employees when practicable. All employers of females in any workshop, mercantile, or manufacturing business or establishment shall provide and maintain suitable seats, when practicable, for the use of such female employees, at or beside the counter or work-bench where employed, and permit the use thereof by such employees to such extent as the work engaged in may reasonably admit.

Sec. 5. Steam and water gauges and safety valves on steam boilers. Every person owning or operating a steam boiler in this state shall provided the same with steam gauge, safety-valve, and water-gauge, and keep the same in good order.

Sec. 6. Safety appliances--guarding machinery. It shall be the duty of the owner, agent, superintendent, or other person in charge of any workshop, manufacturing or other industrial establishment or concern operated by machinery, either in a fixed location or when portable and moved from place to place therein in carrying on such industry, so far as practicable, to install and keep in order belt shifters or other safe mechanical means for throwing belts on and off pulleys, install loose pulleys, and protect, by guards or housing, all gearing, cogs, belting, shafting, tumbling rods, universal or knuckle joint, set screws, saws planes, and other machinery, when so located or used that employees may receive injury thereby. The provisions of this chapter shall not apply to agricultural pursuits.

Sec. 7. Removal of guards or safety appliances. When any person shall remove any guard or safety appliance from any machine or other equipment, or shall so adjust or place the same as to destroy or impair its use in preventing bodily injury or safe-guarding health, for the purpose of enabling the employee operating said machine to perform any special work that cannot otherwise be performed, it shall be the duty of said employee or employer to immediately replace it after such special work has been completed.

Sec. 8. Blowers and pipes for dust. 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 and 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 of dust; but 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 (1) man at such work may, in the discretion of the labor commissioner, be exempt from the provisions hereof.

Sec. 9. Pipes and flues for gases. Any factory, workshop, printshop, 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.

Sec. 9-a. Notice in case of violation. When the commissioner or his inspector shall discover or have reason to believe that any provision of the eight preceding sections is being violated, he shall give to the person, company, corporation, or the manager or superintendent thereof, a notice in writing to comply with such provision within a reasonable time to be fixed in said notice and which time shall be of not less than seven nor more than thirty days duration, except that such time may be extended by the commissioner for good cause shown. In fixing the time in such notice, the commissioner shall take into consideration the nature of the failure or defect constituting the violation, the danger to be apprehended therefrom, and the probable length of time and amount of labor required to remedy or cure such defect.

Sec. 10. Record of accidents. Manufacturers, manufacturing corporations, proprietors, or corporations operating any mercantile establishment, mill, workshop, business house, or mine, other than those subject to inspection by the state mine inspector, shall keep a careful record of any accidents occurring to an employee while at work for the employer, when such accident results in the death of the employee or in such bodily injury as will or probably may prevent him from returning to work within two (2) days thereafter. The said record shall at all times be open to inspection by an inspector of the bureau of labor.

Sec. 11. Report of accidents. Within forty-eight (48) hours after the occurrence of an accident, the record of which is required to be kept, a written report thereof shall be forwarded to the commissioner of labor 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.

Sec. 12. Penalties. Any person, corporation, firm, agent, or superintendent violating any of the provisions of this chapter shall be guilty of a misdemeanor and shall be punished as follows:

1. For a violation of any one of the provisions of sections two (2), three (3), and four (4), by a fine not exceeding ten dollars (\$10.00) for each offense.

2. For a violation of section five (5), by a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00).

3. For a violation of any one of the provisions of sections six (6), seven (7), eight (8), nine (9), ten (10), and eleven(11), by a fine not exceeding one hundred dollars (\$100.00).

Approved March 17, 1924.

CHAPTER 30  
CHILD LABOR  
H. F. 44

AN ACT to amend, revise, and codify sections eight hundred eighty-two (882) and eight hundred eighty-four (884) to eight hundred ninety (890), inclusive, of the compiled code of Iowa, and section eight hundred eighty-eight (888) of the supplement to said code, relating to child labor.