

CHAPTER 32
LABOR BUREAU AND COMMISSIONER
H. F. 46

AN ACT to amend, revise, and codify sections eight hundred seventy-three (873) to eight hundred eighty (880), inclusive, of the compiled code of Iowa, and section eight hundred eighty-one (881) of the supplement to said code, relating to the bureau of labor and the labor commissioner, his deputies and inspectors, their duties and jurisdiction.

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

That sections eight hundred seventy-three (873) to eight hundred eighty (880), inclusive, of the compiled Code of Iowa, and section eight hundred eighty-one (881) of the supplement to said Code are amended, revised, and codified to read as follows:

CHAPTER 6
BUREAU OF LABOR

Section 1. Labor commissioner. The bureau of labor shall be under the control of a labor commissioner, who shall have his office at the seat of government and shall devote his entire time to the duties of his office.

Sec. 2. Appointment. The governor shall, within sixty days after the organization of the regular session of the general assembly in nineteen hundred twenty-five (1925) and each two years thereafter, appoint with the approval of two-thirds ($2/3$) of the members of the senate, a labor commissioner who shall serve for a period of two years from July first of the year of appointment.

Sec. 2-a1. Vacancies. A vacancy in said position which may occur while the general assembly is not in session shall be filled by appointment by the governor, which appointment shall expire at the end of thirty (30) days from the time the general assembly next convenes in regular session. Prior to the expiration of said thirty (30) days the governor shall transmit to the senate for its confirmation an appointment for the unexpired portion of the regular term. Vacancies occurring during a session of the general assembly shall be filled as regular appointments are filled and before the end of said session and for the unexpired portion of the regular term.

Sec. 2-a2. Temporary provision. The incumbent of said position, at the time this chapter takes effect, shall continue to serve until July first, nineteen hundred twenty-five (1925).

Sec. 3. Collection of industrial statistics and information - reports. The duties of said commissioner shall be:

1. To 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 otherwise provided.
2. To collect, assort, and systemize statistical details relating to all departments of labor in the state, especially in its relation to the commercial, social, educational, and sanitary conditions surrounding 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.

3. To collect as fully as practicable 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.

4. To submit the foregoing statistics and information to the governor in biennial reports in which he shall give a statement of the business of the bureau since the last regular report, and shall compile 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 proportion of married laborers and mechanics who live in rented houses, with the average annual rental, and the value of property owned by laborers and mechanics; to 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.

5. To issue from time to time, with the consent of the executive council, bulletins containing information of importance to the industries of the state and to the safety of wage earners.

Sec. 4. Other duties - jurisdiction in general. The commissioner shall have jurisdiction and it shall be his duty to supervise the enforcement of:

1. All laws relating to safety appliances and inspection thereof and health conditions in manufacturing and mercantile establishments, workshops, machine shops, and other industrial concerns within his jurisdiction.

2. The laws relating to preventing fires and to fire escapes and other means of escaping therefrom.

3. All laws of the state relating to child labor.

4. All laws relating to the state free employment bureau and employment agencies.

5. Such other provisions of law as are now or shall hereafter be within his jurisdiction.

Sec. 5. Appointment of inspectors. The appointment, by the commissioner, of all factory inspectors shall be subject to the approval of the executive council.

Sec. 6. Woman inspector - duties. One of the factory inspectors in the bureau of labor shall be a woman, who shall inspect the sanitary and general conditions of all factories, workshops, hotels, cafes, restaurants, stores and all other establishments and places where women and children are employed; collect statistics and report the same to the commissioner with such recommendations as she believes will improve working conditions of women and children, and to which the commissioner shall make special reference in his biennial reports to the governor. She shall perform such other services under the direction of the commissioner as will tend to promote the health and general welfare of the women and children employed in the industries within the state.

Sec. 7. Traveling expenses - limitation. The commissioner, inspectors, and other employees of the office shall be allowed their necessary traveling expenses while in the discharge of their duties. Such expense in the aggregate, exclusive of salaries, shall not exceed the sum of four thousand dollars (\$4,000.00) per annum.

Sec. 8. Right to enter premises. The labor commissioner and the inspectors 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 methods of protection from danger to employees, and the sanitary conditions in and around such buildings and places, and make a record thereof.

Sec. 9. Power to secure evidence - witness fees - limitation. The labor commissioner and his deputy shall have the power to issue subpoenas, administer oaths, and take testimony in all matters relating to the duties required of them, said testimony to be taken in some suitable place in the vicinity to which testimony is applicable. No witness shall be compelled by such subpoena to go outside the county of his residence, except when the hearing is in a county adjoining the county of his residence, then he shall be required to obey such subpoena. Witnesses subpoenaed and testifying before the commissioner or an inspector shall be paid the same fees as witnesses before a justice's court, such payment to be made out of the general funds of the state on voucher by the commissioner, but such expense for witnesses shall not exceed one hundred dollars (\$100.00) annually.

Sec. 10. Prosecutions for violations - discretion. If the commissioner or an inspector 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 employees, or for the preservation of health, such officer may give the county attorney of the county in which such factory or building is situated, written notice of the facts, whereupon that officer shall institute the proper proceedings against the person guilty of such offense or neglect. But if the commissioner or inspector is of the opinion that such violation or neglect is not wilful, or is an oversight or of a trivial nature, he may in his discretion fix a time within which the defect or evil may be corrected and notify the owner, operator, superintendent or person in charge and if corrected within the time fixed, then the commissioner or inspector shall not cause prosecution to be begun.

Sec. 11. 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 the commissioner such reports and returns as he 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 (60) days from the receipt of blanks furnished by the commissioner, and shall certify under oath to the correctness of the same.

Sec. 12. Use of name of persons furnishing information forbidden. Any use of the names of individuals, firms, or corporations furnishing the commissioner information required by this chapter for his biennial report, in such manner as to disclose any of their private or personal affairs, is hereby prohibited.

Sec. 13. Reports and records preserved - destroyed when. 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 employees, shall be destroyed within two (2) years after the collection or receipt thereof. At the expiration of two (2) 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 by the authority of the executive council first obtained.

Sec. 14. Definition of terms. The expressions "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 wage earners are employed for a compensation.

Sec. 15. Violations - penalties. Persons violating any of the provisions of this chapter shall be punished as in this section provided, respectively:

1. Any owner, superintendent, manager or person in charge of any factory, mill, workshop, store, mine, hotel, restaurant, cafe, business house, public or private work, who shall refuse to allow the commissioner of labor or any inspector or employee of the bureau of labor to enter the same, or who shall hinder or deter him in collecting information which it is his duty to collect shall be fined not exceeding one hundred dollars (\$100.00) or imprisoned in the county jail not exceeding thirty (30) days.

2. Any person duly subpoenaed to attend a hearing before the commissioner or deputy or a court in any proceeding provided by this chapter who shall wilfully neglect or refuse to attend or testify at the time and place named in the subpoena shall be fined not exceeding fifty dollars (\$50.00) or imprisoned in the county jail not exceeding thirty (30) days.

3. Any officer or employee of the bureau of labor, or any person making unlawful use of names or information obtained by virtue of their office, shall be fined not exceeding five hundred dollars (\$500.00) or imprisoned in the county jail not exceeding one (1) year.

4. Any owner, operator, or manager of a factory, mill, workshop, mine, store, business house, public or private work, who shall neglect or refuse for thirty (30) days after receipt of notice from the commissioner to furnish any reports or returns he may require to enable him to discharge his duties shall be fined not to exceed one hundred dollars (\$100.00) or imprisoned in the county jail not to exceed thirty (30) days.

Approved March 14, 1924.

CHAPTER 33
STATE EMPLOYMENT BUREAU
S. F. 47

AN ACT to amend, revise, and codify sections eight hundred ninety-two (892) to eight hundred ninety-eight (898), inclusive, of the compiled code of Iowa, and section eight hundred ninety-one (891) of the supplement to said code, relating to the state free employment bureau, free employment service, and employment agencies.

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