

CHAPTER 70

WORKMEN'S COMPENSATION TO PEACE OFFICERS

S. F. 196

AN ACT to repeal section eighty-five point sixty-two (85.62), code, 1946, and to enact a substitute therefor, relating to the payment of workmen's compensation to peace officers.

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

1 SECTION 1. Section eighty-five point sixty-two (85.62), Code, 1946,
2 is hereby repealed and the following enacted in lieu thereof:

3 "Any policeman (except those pensioned under the policemen's
4 pension fund created by law), any sheriff, marshal, constable, state
5 highway patrolmen, conservation officer, and any and all of their
6 deputies and any and all other legally appointed or elected law-enforc-
7 ing officers, who shall sustain an injury while performing the duties
8 of a law-enforcing officer and from causes arising out of and in the
9 course of his official duty, or employment as a law-enforcing officer,
10 become temporarily or permanently physically disabled or if said
11 injury results in death shall be entitled to compensation for all such
12 injuries or disability together with statutory medical, nursing, hospital,
13 surgery and funeral expenses, and where the officer is paid from
14 public funds said compensation shall be paid out of the general fund
15 of the state.

16 Where death occurs, compensation shall be paid to the dependents
17 of the officer the same as in other compensation cases.

18 The compensation to be paid to such officers shall be computed the
19 same as in other compensation cases, except where injury results
20 in death, permanent total or permanent partial disability, then the
21 weekly compensation shall be the maximum allowed by the workmen's
22 compensation law.

23 The industrial commissioner shall have jurisdiction as in other
24 cases and it shall be the duty of the industrial commission to investigate
25 and determine the compensability of the claims of such law-enforcing
26 officers."

Approved April 22, 1947.

CHAPTER 71

OCCUPATIONAL DISEASE COMPENSATION

S. F. 147

AN ACT to provide workmen's compensation benefits for certain employees for dis-
ability or death from injurious exposure to certain occupational diseases, to define
occupational diseases, to prescribe the terms, conditions, regulations, limitations
and exceptions applicable thereto and to provide the procedure for obtaining
benefits and for administering the law and for appeals and to provide the duties
of the industrial commissioner in connection therewith.

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

1 SECTION 1. **Short Title.** This Act shall be known and referred to
2 as the "Iowa Occupational Disease Law".

1 **SEC. 2. Employers included.** All employers as defined by the
2 workmen's compensation law of Iowa and who are engaged in any
3 business or industrial process hereinafter designated and described
4 are employers within the provisions of this Act and shall be subject
5 thereto.

1 **SEC. 3. Employees covered.** All employees as defined by the
2 workmen's compensation law of Iowa employed in any business or
3 industrial process hereinafter designated and described and who
4 in the course of their employment are exposed to an occupational
5 disease as herein defined are subject to the provisions of this Act.

1 **SEC. 4. Disablement defined.** Disablement as that term is used
2 in this Act is the event or condition where an employee becomes
3 actually incapacitated from performing his work or from earning
4 equal wages in other suitable employment because of an occupational
5 disease as designated and defined in this Act in the last occupation
6 in which such employee is injuriously exposed to the hazards of
7 such disease.

1 **SEC. 5. Compensation payable.** All employees subject to the
2 provisions of this Act who shall become disabled from injurious
3 exposure to an occupational disease herein designated and defined
4 within the conditions, limitations and requirements provided herein,
5 shall receive compensation, reasonable surgical, medical, osteopathic,
6 chiropractic, nursing and hospital services and supplies therefor, and
7 burial expenses as provided in the workmen's compensation law of
8 Iowa except as otherwise provided in this Act.

1 **SEC. 6. Dependents defined.** Dependents of a deceased employee
2 whose death has been caused by an occupational disease as herein
3 defined and under the provisions, conditions and limitations of this
4 Act shall be those persons defined as dependents under the workmen's
5 compensation law of Iowa and such dependents shall receive compensa-
6 tion benefits as provided by said law.

1 **SEC. 7. Limitations and exceptions.** The provisions of this Act
2 providing payment of workmen's compensation on account of occupa-
3 tional disease as defined and set out in this Act, shall be subject to
4 the following limitations and exceptions:

5 (a) No compensation shall be payable if the employee, at the
6 time of entering the employment of the employer in writing falsely
7 represented himself to said employer as not having been previously
8 disabled, laid off or compensated, or having lost time by reason of
9 an occupational disease.

10 (b) No compensation for death because of an occupational disease
11 shall be payable to any person whose relationship to the deceased
12 employee arose subsequent to the beginning of the first compensable
13 disability, except only after-born children of a marriage existing
14 at the beginning of such disability.

15 (c) When such occupational disease causes the death of an employee
16 and there are no dependents entitled to compensation, then the
17 employer shall pay the medical, hospital and burial expenses as is
18 provided by the workmen's compensation law, and shall also pay
19 to the Treasurer of the State of Iowa for the use and benefit of the

20 Second Injury Compensation Fund such amount as is required by
21 the Second Injury Compensation Act.

22 (d) Where such occupational disease is aggravated by any other
23 disease or infirmity not of itself compensable, or where disability
24 or death results from any other cause not of itself compensable
25 but is aggravated, prolonged or accelerated by such an occupational
26 disease, and disability results such as to be compensable under the
27 provisions of this Act, the compensation payable shall be reduced
28 and limited to such proportion only of the compensation that would
29 be payable if the occupational disease was the sole cause of the
30 disability or death, as such occupational disease bears to all the
31 causes of such disability or death. Such reduction or limitation in
32 compensation shall be effected by reducing either the number of
33 weekly payments or the amount of such payments as the Industrial
34 Commissioner may determine is for the best interests of the claimant
35 or claimants.

36 (e) No compensation shall be allowed or payable for any disease
37 or death intentionally self-inflicted by the employee or due to his
38 intoxication, or due to his being a narcotic drug addict, his commission
39 of a misdemeanor or felony, his refusal to use a safety appliance or
40 health protective, his refusal to obey a reasonable written or printed
41 rule of the employer which has been posted in a conspicuous position
42 in the place of work, or his failure or refusal to perform or obey any
43 statutory duty. The burden of establishing any such ground shall
44 rest upon the employer.

45 (f) No compensation shall be payable or allowed in any case
46 where the last injurious exposure to the hazards of such occupational
47 disease occurred prior to the effective date of this Act.

1 **SEC. 8. Occupational disease defined.** Occupational diseases shall
2 be only those diseases hereinafter designated and defined and which
3 arise out of and in the course of the employment hereinafter designated
4 and described. Such diseases shall have a direct causal connection
5 with the designated occupations or processes hereinafter set out
6 opposite such named diseases respectively and must have followed
7 as a natural incident thereto from injurious exposure occasioned by
8 the nature of the occupation or process. Such disease must be incidental
9 to the character of the business, occupation or process in which the
10 employee was employed and not independent of the employment.
11 Such disease need not have been foreseen or expected but after its
12 contraction it must appear to have had its origin in a risk connected
13 with the employment and to have resulted from that source as an
14 incident and rational consequence. A disease which follows from a
15 hazard to which an employee has or would have been equally exposed
16 outside of said occupation is not compensable as an occupational
17 disease.

1 **SEC. 9. Compensable occupational diseases and description of**
2 **process or occupation.** The following occupational diseases and their
3 respective process or occupation are hereby declared to be "occupational
4 diseases" within the meaning, definition and provisions herein
5 contained. For the purposes of and within the meaning of this Act,
6 no other diseases shall be considered "occupational" and compensable
7 under the provisions of this Act.

| COLUMN 1. | COLUMN 2. |
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| 8 Description of disease declared 9 to be an "occupational disease" | Description of process or occupation, in which said disease is declared to be an industrial hazard and compen- sable. |
| 10 11 12 1. Lead poisoning | 1. Any process or occupation involv- ing the use of or direct contact with lead or its preparation or compounds. |
| 13 14 15 2. Mercury poisoning | 2. Any process or occupation involv- ing the use of or direct contact with mercury or its preparations or compounds. |
| 16 17 18 19 3. Poisoning by nitrous fumes | 3. Any process or occupation in which nitrous fumes are evolved. |
| 20 21 4. Poisoning by carbon 22 monoxide | 4. Any process or occupation in which carbon monoxide is produced. |
| 23 5. Poisoning by methyl 24 chloride halogens or other 25 halogenated hydrocarbons | 5. Any process or occupation involv- ing the use of or direct contact with methyl chloride, halogens or other halogenated hydrocarbons. |
| 26 27 6. Poisoning by benzol or by 28 nitro and amido derivatives of 29 benzol (dinitrobenzol, aniline) 30 and other aromatic 31 hydrocarbons. | 6. Any process or occupation involv- ing the use of benzol, nitro or amide*-derivatives of benzol and other aromatic hydrocarbons or their preparations or compounds. |
| 32 7. Dermatitis. Infection or 33 inflammation of the skin or 34 contact surfaces due to oils, 35 cutting compounds or lubri- 36 cants, dusts, liquids, fumes, 37 gases, vapors and solids | 7. Any process or occupation involv- ing the handling or use of oils, cutting compounds, lubricants, or involv- ing contact with dusts, liquids, fumes, gases, vapors or solids. |
| 38 8. Zinc poisoning | 8. Any process or occupation involv- ing the use of or direct contact with zinc or its preparations, compounds or alloys. |
| 39 40 41 42 9. Manganese poisoning | 9. Any process or occupation involv- ing the use of or direct contact with manganese or its compounds. |
| 43 44 45 10. Bursitis, synovitis or 46 tenosynovitis* | 10. Any process or occupation involv- ing continued or repeated pressure on the parts affected. |
| 47 48 11. Chrome ulceration of the 49 skin or nasal passages | 11. Any process or occupation involv- ing the use of or direct contact with chromic acid or bichromates of ammonium, potassium, sodium or their preparations. |
| 50 51 52 53 12. Cyanide poisoning | 12. Any process or occupation involv- ing the use of or direct contact with cyanides. |
| 54 55 56 13. Brucellosis (undulant 57 fever) | 13. Any process or occupation involv- ing the handling of animals or |

*According to enrolled act.

| COLUMN 1. | COLUMN 2. |
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| 58 | carcasses of animals infected with brucellosis. |
| 59 | 14. Any process or occupation involving the handling of animals or carcasses of animals infected with swine erysipelas. |
| 60 | 15. Any process or occupation involving an exposure to or direct contact with silicon dioxide dust. |
| 61 | 16. Any process or occupation involving an exposure to or direct contact with electro or oxy-acetylene welding or other radiant energy. |
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1 **SEC. 10. Last exposure—Employer liable.** Where compensation
2 is payable for an occupational disease, the employer in whose employ-
3 ment the employee was last injuriously exposed to the hazards of
4 such disease, shall be liable therefor. The notice of injury and claim
5 for compensation as hereinafter required shall be given and made to
6 such employer, provided, that in case of silicosis, the only employer
7 liable shall be the last employer in whose employment the employee
8 was last injuriously exposed to the hazards of the disease during a
9 period of not less than sixty (60) days which period shall be after
10 the effective date of this Act.

1 **SEC. 11. Diagnosis for Brucellosis.** When any employee is clinically
2 diagnosed as having brucellosis (undulant fever), it shall not be
3 considered that the employee has the disease unless the clinical
4 diagnosis is confirmed by,
5 (a) a positive blood culture for brucella organisms, or
6 (b) a positive agglutination* test which must be verified by not
7 less than two (2) successive positive agglutination* tests, each of
8 which tests shall be positive in a titer of one (1) to one hundred sixty
9 (160) or higher. Said subsequent agglutination* tests must be made
10 of specimens taken not less than seven (7) nor more than ten (10)
11 days after each preceding test.

12 The specimens for the tests required herein must be taken by
13 a licensed practicing physician or osteopathic physician, and im-
14 mediately delivered to the State Hygienic Laboratory of the State
15 Department of Health at Iowa City, and each such specimen shall
16 be in a container upon which is plainly printed the name and address
17 of the subject, the date when the specimen was taken, the name and
18 address of the subject's employer and, a certificate by the physician or
19 osteopathic physician that he took the specimen from the named
20 subject on the date stated over his signature and his address.

21 The State Hygienic* Laboratory shall immediately make the test
22 and upon completion thereof it shall send a report of the result of such
23 test to the physician or osteopathic physician from whom the specimen
24 was received and also to the employer.

25 In the event of a dispute as to whether the employee has brucellosis,
26 the matter shall be determined as any other disputed case.

*According to enrolled act.

1 **SEC. 12. Disablement or death following exposure—Limitations.** An
2 employer shall not be liable for any compensation for an occupa-
3 tional disease unless such disease shall be due to the nature of an
4 employment in which the hazards of such disease actually exist, and
5 which hazards are characteristic thereof and peculiar to the trade,
6 occupation, process, or employment, and such disease actually arises
7 out of the employment, and unless disablement or death results within
8 three (3) years in case of silicosis, or within one (1) year in case of
9 any other occupational disease, after the last injurious exposure to
10 such disease in such employment, or in case of death, unless death
11 follows continuous disability from such disease commencing within
12 the period above limited for which compensation has been paid or
13 awarded or timely claim made as provided by this Act and results
14 within seven (7) years after such exposure.

1 **SEC. 13. Provisions relating to silicosis.**
2 (a) *Silicosis defined.* Whenever used in this Act, "silicosis" shall
3 mean the characteristic fibrotic condition of the lungs caused by the
4 inhalation of silica dust.
5 (b) *Presumptions.* In the absence of conclusive evidence in favor
6 of the claim, disability or death from silicosis shall be presumed not
7 to be due to the nature of any occupation within the provisions of this
8 Act unless during the ten (10) years immediately preceding the dis-
9 ablement of the employee who has been exposed to the inhalation of
10 silica dust over a period of not less than five (5) years, two (2) years
11 of which shall have been in employment in this State.
12 (c) *Compensation payable.* Except as in this Act otherwise provided,
13 compensation for disability from uncomplicated silicosis shall be pay-
14 able in accordance with the provisions hereof; provided, however, that
15 no compensation shall be payable for disability from silicosis of less
16 than thirty-three and one-third percent (33-1/3%) of total, and
17 provided further that, during the transitory period, the aggregate com-
18 pensation payable to employees and their dependents for disability and
19 death for uncomplicated silicosis shall be limited as follows: If dis-
20 ablement occurs or in case of no claim for prior disablement, if death
21 occurs in the third calendar month after the effective date of this Act,
22 the total compensation and death benefits payable shall not exceed the
23 sum of five hundred dollars (\$500). If disablement occurs or in case of
24 no claim for prior disablement, if death occurs during the next calendar
25 month, the total compensation and death benefits payable shall not
26 exceed five hundred and fifty dollars (\$550). Thereafter, the total
27 amount or limit of the compensation and death benefits payable for dis-
28 ability and death shall be increased at the rate of fifty dollars (\$50) per
29 month, the aggregate payable in each case to be limited according to the
30 foregoing formula for the month in which disability occurs, or, in case
31 of no claim for prior disablement, in which death occurs. Such pro-
32 gressive increase in the limits of the aggregate compensation and
33 benefits for disability and death shall continue until the limit upon
34 such benefits fixed in the workmen's compensation law is reached, and
35 thereafter the total aggregate of such compensation and benefits shall
36 be the total compensation and benefits otherwise provided in the work-
37 men's compensation law.
38 (d) *Silicosis complicated with other diseases.* In case of disability or

39 death from silicosis complicated with tuberculosis of the lungs, com-
40 pensation shall be payable as for uncomplicated silicosis, provided,
41 however, that the silicosis was an essential factor in causing such
42 disability or death. In case of disability or death from silicosis com-
43 plicated with any other disease, or from any other disease complicated
44 with silicosis, the compensation shall be reduced as herein provided.

1 **SEC. 14. Restriction on liability.** No compensation shall be payable
2 under this Act for any condition or* physical or mental illbeing, dis-
3 ability, disablement, or death for which compensation is recoverable on
4 account of injury under the workmen's compensation law.

1 **SEC. 15. Employers limit of liability.** Payments of compensation
2 and compliance with other provisions herein by the employer or his
3 insurance carrier in accordance with the findings and orders of the
4 Industrial Commissioner or the appellate court in appealed cases,
5 shall discharge such employer from any and all further obligation.

1 **SEC. 16. Reference to compensation law.** The provisions of the
2 workmen's compensation law, so far as applicable, and not inconsistent
3 herewith, shall apply in cases of compensable occupational diseases as
4 specified and defined herein.

1 **SEC. 17. Disability.** Compensation payable under this Act for
2 temporary disability, permanent total disability or permanent partial
3 disability, shall be such amounts as are provided under the workmen's
4 compensation law.

1 **SEC. 18. Notice of disability or death—Filing of claims.** Except
2 as herein otherwise provided, procedure with respect to notice of dis-
3 ability or death, as to the filing of claims and determination of claims
4 shall be the same as in cases of injury or death arising out of and in
5 the course of employment under the workmen's compensation law.
6 Written notice shall be given to the employer of an occupational disease
7 by the employee within ninety (90) days after the first distinct mani-
8 festation thereof, and in the case of death from such an occupational
9 disease, written notice of such claim shall also be given to the em-
10 ployer within ninety (90) days thereafter.

1 **SEC. 19. Autopsy.** Upon the filing of a claim for compensation for
2 death from an occupational disease where an autopsy is necessary in
3 order to accurately and scientifically ascertain and determine the cause
4 of death, such autopsy shall be ordered by the Industrial Commissioner
5 and shall be made under the supervision of the coroner of the county
6 in which death occurs or in any county where the body of such em-
7 ployee may be taken.

8 The Industrial Commissioner may designate a duly licensed phy-
9 sician to perform or attend such autopsy and to certify his findings
10 thereon. Such findings shall be filed in the office of the Industrial
11 Commissioner. The Industrial Commissioner may also exercise such
12 authority on his own motion or on application made to him at any time,
13 upon the presentation of facts showing that a controversy may exist
14 in regard to the cause of death or the existence of any occupational
15 disease. All proceedings for compensation shall be suspended upon

*According to enrolled act.

16 refusal of a claimant or claimants to permit such autopsy when so
17 ordered and no compensation shall be payable.

1 **SEC. 20. Medical Board.** There is hereby created a medical board
2 for occupational diseases which shall consist of the Industrial Hygiene
3 Physician of the State Department of Health and two physicians
4 selected by the dean of the College of Medicine of the State University
5 of Iowa, from the staff of said college, who shall be qualified to diagnose
6 and report on occupational diseases. The medical board shall have
7 the use, without charge, of all necessary laboratory and other facilities
8 of the College of Medicine and of the University Hospital at the State
9 University of Iowa, and of the State Department of Health in per-
10 forming its duties prescribed herein.

1 **SEC. 21. Controverted medical questions.** Controversial medical
2 questions may be referred by the Industrial Commissioner to the
3 medical board for investigation and report to the Industrial Commis-
4 sioner when agreed to by the parties or on his own motion. No award
5 shall be made in any case where controversial medical questions have
6 been referred to the board until the board shall have duly investigated
7 the case and made its report with respect to all such medical questions.
8 The date of disablement, if in dispute, shall be deemed a medical ques-
9 tion.

1 **SEC. 22. Examination of employee by medical board.** The medical
2 board, upon reference to it by the Industrial Commissioner of a claim
3 for occupational disease, shall notify the claimant or claimants and the
4 employer or his insurance carrier to appear before the medical board
5 at a time and place stated in the notice. If the employee be living, he
6 shall appear before the medical board at the time and place specified
7 to submit to such clinical and x-ray examinations as the medical board
8 may require. The claimant and the employer shall each be entitled, at
9 his own expense, to have present at all examinations conducted by the
10 medical board, a physician admitted to practice in the state, who shall
11 be given every reasonable facility for participating in every such
12 examination. If a physician admitted to practice in the state shall
13 certify that the employee is physically unable to appear at the time
14 and place designated by the medical board, such board shall, on notice
15 to the parties, change the time and place of examination to such other
16 time and place as may reasonably facilitate the examination of the
17 employee. Proceedings shall be suspended and no compensation be
18 payable for any period during which the employee may refuse to submit
19 to such examination.

1 **SEC. 23. Medical board's report—date of disablement.** The medical
2 board shall, as soon as practicable after it has completed its considera-
3 tion of the case, report in writing its findings and conclusions on every
4 medical question in controversy. If the date of disablement is con-
5 troverted and cannot be fixed exactly, the medical board shall fix the
6 most probable date having regard to all the circumstances of the case.
7 The medical board shall also include in its report the name and address
8 of the physician or physicians if any who appeared before it and what
9 if any medical reports and x-rays were considered by it.

1 **SEC. 24. Findings and report.** The medical board shall file its
2 report in triplicate with the Industrial Commissioner who shall mail
3 or deliver a certified copy thereof to the claimant and to the employer.
4 The report of the medical board shall become a part of the record of
5 the case. The Industrial Commissioner shall make his decision or
6 award in the case based upon the entire record. The report of the
7 medical board in any case may be remanded by the Commissioner to
8 the board for reconsideration and further report. The members of the
9 medical board shall not be prohibited from testifying before the In-
10 dustrial Commissioner, Board of Arbitration, or any other person, com-
11 mission or court as to the results of the examination or the condition
12 of any employee examined by the board.

1 **SEC. 25. Existing diseases barred.** There shall be no liability for
2 the payment of compensation under the provisions of this Act to
3 any person who at the time of the taking effect of this Act is suffering
4 with an occupational disease. An employer may at his own expense
5 require his employees to submit to a physical examination prior to
6 October first, 1947, and in the case of new employees employed after
7 the taking effect of this Act within ninety (90) days of the com-
8 mencement of the employment of such new employees, for the purpose
9 of determining whether any such person is affected with or has
10 an occupational disease. In the event it is determined by such examina-
11 tion that any employee is suffering from or is affected with an
12 occupational disease, the employer may require the employee to
13 waive in writing any claim for compensation under the provisions of
14 this Act on account thereof as a condition to continuing in the employ-
15 ment of the employer.

16 In cases of dispute as to the existence of the disease the controversy
17 may be referred to the Industrial Commissioner who shall decide
18 the matter and who may, upon his own motion or by agreement of
19 the parties, submit the controverted question to the medical board
20 provided herein for its investigation and report, and said board
21 shall immediately proceed with the investigation and with the
22 examination of the employee and forthwith make its report to the
23 Industrial Commissioner. Said examination shall be made and the
24 investigation conducted in the same manner as is provided herein
25 as to other controverted medical questions. The Industrial Commis-
26 sioner shall then make this* decision on the matter, and said decision
27 shall have the same force and effect and be subject to all the other
28 provisions of law applicable the same as any other decision of the
29 Industrial Commissioner.

1 **SEC. 26.** No policy of insurance in effect at the time of the enact-
2 ment of this Act covering the liability of an employer under the
3 Workmen's Compensation Law, shall be construed to cover the
4 liability of such employer under this Act for any occupational disease
5 unless such liability is expressly accepted by the insurance carrier
6 issuing such policy and is endorsed thereon. The insurance or security
7 in force to cover compensation liability under this Act shall be
8 separate and distinct from the insurance or security under the
9 "Workmen's Compensation Law" and any insurance contract covering

*According to enrolled act.

10 liability under either this Act or the Workmen's Compensation Law
11 need not cover any liability under the other.

1 SEC. 27. This Act shall become effective on October first, 1947
2 except that the provisions in section twenty-five (25) providing for
3 the physical examination of employees shall become effective on July
4 fourth, 1947.

1 SEC. 28. **Industrial Commissioner.** The Industrial Commissioner
2 shall have jurisdiction over the operation and administration of the
3 compensation provisions of this Act and said Commissioner shall
4 perform all of the duties imposed upon him by this Act and such
5 further duties as may hereafter be imposed by law.

1 SEC. 29. **Severability.** If any clause, sentence, section or part of
2 this Act is adjudged to be unconstitutional or invalid for any reason
3 by any Court of competent jurisdiction, such judgment shall not
4 impair, affect or invalidate the remaining parts of this Act.

Approved April 22, 1947.

CHAPTER 72

WORKMEN'S COMPENSATION REPORTS

H. F. 23

AN ACT to repeal section eighty-six point eleven (86.11), code 1946, and to enact a substitute therefor relating to reports of injuries to employees to be filed by the employer with the industrial commissioner under the provisions of the Iowa workmen's compensation law.

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

1 SECTION 1. Section eighty-six point eleven (86.11), Code 1946, is
2 hereby repealed and the following is hereby enacted in lieu thereof:
3 "Every employer shall hereafter keep a record of all injuries, fatal
4 or otherwise, sustained by his employees in the course of their employ-
5 ment and resulting in incapacity for a longer period than one day. If
6 the injury results only in temporary disability, causing incapacity for
7 a longer period than seven days, then within forty-eight hours there-
8 after, not counting Sundays and legal holidays, the employer having
9 had notice or knowledge of the occurrence of such injury and resulting
10 disability, a report shall be made in writing, by the employer to the
11 Industrial Commissioner on forms to be procured from the commis-
12 sioner for that purpose. If such injury to the employee results in
13 permanent total disability, permanent partial disability or death, then
14 the employer, upon notice or knowledge of the occurrence of the em-
15 ployment injury, shall file a report with the industrial commissioner,
16 within forty-eight hours after having notice or knowledge of the
17 permanent injury to the employee or his death."

Approved February 11, 1947.