

*Common
Labor*

A BILL

FOR AN ACT REGULATING FACTORIES, WORK SHOPS, AND OTHER PLACES WHERE LABOR IS EMPLOYED, PROVIDING FOR THE INSPECTION OF BOILERS, ERECTION OF FIRE ESCAPES, AND SAFETY FROM FIRES, AND TO PROVIDE FOR THE ENFORCEMENT OF THE PROVISIONS OF THIS ACT, AND ALLOWING AN ATTORNEY'S FEE IN CASES FOR THE RECOVERY OF DEBTS DUE FOR LABOR ACTUALLY PERFORMED, AND IN SUCH CASES DOING AWAY WITH THE EXEMPTIONS NOW ALLOWED BY LAW.

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

SECTION 1. It shall be the duty of the owner, or other person other than the owner, controlling and operating any factory, workshop or other like place of service or employment, where hired service or manual labor is performed, and where steam or power other than manual is employed to propel the machinery used, to protect by encasing, fencing off, or otherwise properly guarding, so far as may be practicable, all belting, shafting, gearing, hoists, fly-wheels, saws, elevators and drums, which, without such encasing, fencing off, or guarding against would be dangerous to persons employed or laboring in the vicinity thereof.

SEC. 2. All factories, workshops and other like places of three or more stories in height, where manual labor is performed and in which are employed twenty-five or more persons, shall be provided with one or more properly constructed metallic fire-escapes, extending from or suitably near the first story, on the interior of said building, up to the attic if the same is used as a place for such manual labor ; and if the attic is not so used, then said fire-escapes shall extend to the upper story. And said escapes shall be suitably connected, for access thereto, with the interior, and with convenient platforms or landings of such form and dimensions, and in such proximity to one or more windows of each story above the first, or doors leading outward, as to render access to such fire escapes from each story, easy and safe. Such fire-escapes shall be kept in good repair and free from obstruction. Said factories, workshops, and other like places above described, shall also be provided with two or more stairways or other proper ways of passage from one story to the other, which stairway or other passage way shall be placed, as nearly as practicable, at the opposite ends of such factory or other building, and shall be kept in good repair and free from obstruction. *Provided*, that the owner or occupant of any factory or other building in this section described, which has been built at the taking effect of this act, and who shall, within six months from such taking effect, shall supply said building either with said exterior fire-escape or said

18 interior methods of exit internally, and shall properly maintain the same, shall be held to
19 have complied with this section. But all buildings in this section described, which are
20 built after the taking effect of this act, shall have and keep in said good condition, both
21 said exterior and interior modes of escape as above provided.

SEC. 3. Each story of every factory, workshop, or other like building where labor is
2 employed, above the first story, shall be kept amply supplied with the means of extinguish-
3 ing fires, and shall keep in suitable places in each story of such building, and convenient of
4 access, a proper supply of hand grenades or other suitable means of extinguishing fires.

SEC. 9. It is hereby made the duty of every person controlling or operating any factory,
2 workshop or other like place where labor is performed, to keep such premises in a cleanly
3 condition and free from effluvia of sewer, drain, privy, or other nuisance, and also to keep
4 the same, as far as practicable to do so, free from all gases, dust or other impurities detri-
5 mental to the health of the employes, arising from the work being carried on.

SEC. 10. It is hereby made the duty of any person or persons employing male and female
2 operatives in and about the same building to provide sufficient and separate privies and
3 urinals apart from each other and to keep the same in a cleanly and ventilated condition.

SEC. 11. It shall be the duty of the local boards of health of the State in their respective
2 localities, to see that the sanitary provisions of this act are fully carried out by the employ-
3 ers of labor as herein contemplated, and if any person or corporation coming under the
4 provisions of this act shall obstruct or interfere with the proper officer or person appointed
5 by the local board of health to visit and examine the place where labor is employed as is
6 herein contemplated in the discharge of such duty such person or corporation shall be
7 deemed guilty of a misdemeanor.

SEC. 12. The local boards of health in each locality where steam power is used, shall
2 appoint some competent person who shall once in each year inspect the boilers used in con-
3 nection with steam power in factories, mills and like buildings in such locality. Said ap-
4 pointment shall hold good for one year, unless said board shall sooner revoke the same.
5 Said person shall take the general oath of office prescribed by statute, which oath shall be
6 filed with the clerk of the board making the appointment. Whenever said inspector on
7 such examination shall find any boiler is in safe and good condition he shall issue a certifi-
8 cate to that effect, which shall be *prima facie* evidence thereof. If he shall find said boilers
9 are not in good and safe condition, he shall report that fact to the board of health appoint-
10 ing him, which board shall notify the person owning or operating said steam power to cease
11 operating the same until such boilers are replaced or repaired and found by said inspector
13 to be in good and safe condition, and so by said inspector certified. An appeal may be taken
14 from the decision of said inspector to the board of health, within five days from the date of
15 the notification above provided for. And said board shall thereupon promptly meet on the

16 call of the clerk thereof, upon notice in writing of such appeal having been taken being
 17 filed with him, if so filed within said five days. If the decision of said inspector be main-
 18 tained on such appeal, and said boilers by said board be found to be unsafe and dangerous,
 19 and said person so owning or controlling said steam power shall refuse or fail for five days
 20 thereafter to replace or repair said boiler so that the same shall by said inspector be found
 21 to be in good and safe condition, or if no appeal be taken, and said person owning or con-
 22 trolling such steam power shall refuse or fail to cease the operation thereof until said boil-
 23 ers so found unsafe as above provided are replaced or properly repaired, as above provided,
 24 it shall be the duty of said board to certify such facts to the county attorney, who shall in-
 25 stitute action in the name of the State, to restrain the operation of said steam power until
 26 the boilers are so repaired or replaced and found to be in good and safe condition. Writs^s
 27 of injunction therefor shall issue without bond after due notice has been duly served of
 28 time and place of hearing. And if said person so owning or operating said steam power
 29 shall continue to refuse or fail to properly repair or replace said boilers as aforesaid, a writ
 30 of injunction shall be ordered in the judgment rendered, which injunction may be dis-
 31 solved thereafter, upon proper showing to the judge that said boiler has been properly re-
 32 paired or replaced and so certified, and all costs attending said suit has been paid. And
 33 said judgment shall also include a reasonable attorney fee for services performed in prose-
 34 cution of said action, to be fixed by the court and taxed as costs, and which shall go into
 35 the county fund. And upon complaint in writing filed with said board that any boiler is
 36 dangerous or out of repair, so as to be unsafe, said board may direct said inspector to in-
 37 spect the same, although less than a year has elapsed since the former inspection was made.
 38 For each inspection under this section said inspector shall be entitled to receive from the
 39 owner or person operating said steam power the sum of _____ dollars.

SEC. 13. In all suits to recover for labor actually performed where the amount recovered
 2 exceeds ten dollars, there shall be allowed to the plaintiff and be included in the recovery
 3 by him in the action, as costs, a reasonable attorneys' fee and a debt for money due for
 4 such labor shall have priority over all other claims in case of attachment or execution
 5 against the employer or of his making an assignment for the benefit of his creditors, pro-
 6 vided the person having such claim for labor institutes proceedings to recover the same
 7 within fourteen days from the date of the levy of such attachment or execution or files the
 8 same with the assignee within three months after the making of such assignment and as
 9 against debts due for labor performed to the extent of one hundred dollars to each opera-
 10 tive, none of the exemptions provided for by the laws of the State shall apply ; *provided*,
 11 to an amount not exceeding \$1,000, and personal property —to be selected by the judgment
 12 debtor—not to exceed two hundred dollars, and exempted by the general exemption laws,
 13 shall be exempt under this section.

A BILL

FOR AN ACT REGULATING FACTORIES, WORK SHOPS, AND OTHER PLACES WHERE LABOR IS EMPLOYED, PROVIDING FOR THE LIABILITY OF EMPLOYERS OF LABOR, ALLOWING AN ATTORNEYS FEE IN CASES FOR THE RECOVERY OF DEBTS DUE FOR LABOR ACTUALLY PERFORMED, AND IN SUCH CASES DOING AWAY WITH THE EXEMPTIONS NOW ALLOWED BY LAW.

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

SECTION 1. That whoever employes or causes to be employed any person or persons, in
2 any factory, workshop, or other place of service or employment where hired service or
3 manual labor is performed, shall not be permitted to put at work more persons in any one
4 room or place than the laws of health shall warrant and all such rooms or places of em-
5 ployment shall have a ventilator or ventilators or other appliances sufficiently large to carry
6 off all foul or impure air, and to reduce the air of such room or place of employment to the
7 standard of fresh air, and there shall be allowed to each person in a work-room or other
8 place of employment as contemplated by this section at least five hundred cubic feet air
9 space.

SEC. 2 That in all places where labor is employed as contemplated by section one of
2 this act, where steam or power other than manual is employed to propel the machinery
3 used, it shall be the duty of the owner or person other than the owner controlling and oper-
4 ating such factory, work shop, or other place where labor is employed, to have all belting,
5 shafting, gearing, hoists, fly wheels, elevators and drums securely guarded and so fenced as
6 to be safe to every person employed in such place of employment or who may be lawfully on
7 said premises, and to have every vat, pan or other structure in which molten metal or hot
8 liquid may be, surrounded with proper safeguards for preventing accidents or injury to
9 those employed at or near there, and to have all circular saws so protected, where necessary,
10 that pieces of the material being sawed cannot be carried by the motion of the saw, toward
11 and against the person using the saw, to his injury.

SEC. 3. That all factories, work shops and other places where labor is employed of two
2 stories high or more, in which twenty or more persons are employed shall be provided with
3 properly constructed fire escapes upon the outside thereof connected with the interior by
4 doors or windows opening out, with suitable landings at every story above the first includ-

5 ing the attic if it is used as a work room ; and such fire escapes shall be kept in good repair
6 and free from obstruction, and all such factories, work shops or other places where labor is
7 employed as are contemplated in this section shall be provided with more than one way of
8 egress from one story to the other suitable and proportioned to the speedy escape from one
9 story to the other of the persons there employed. which stairways shall be placed, as nearly
10 as practicable at opposite ends of the building, and the access thereto shall at all times be
11 kept clear and unobstructed.

SEC. 4. That each story of every factory, workshop or other place where labor is em-
2 ployed, above the first story, shall be kept amply supplied with the means of extinguishing
3 fires, and no explosive or inflammable compound shall be used in any such place or in any
4 manner so as in case of fire to obstruct or render hazardous the egress of the operatives
5 therefrom.

SEC. 5. That all places where labor is employed as contemplated by this act, shall be kept
2 in a cleanly condition and free from effluvia of sewer, drain, privy, or other nuisance, and
3 shall also be kept, as far as it is practicable to do so, free from all gases, vapors, dust or
4 other impurities detrimental to the health of the employes, arising from the work being
5 carried on.

SEC. 6. That in all places where male and female operatives are employed it shall be the
2 duty of the employer to provide sufficient and separate privies and urinals apart from each
3 other and to keep the same in a cleanly condition and fully ventilated.

SEC. 7. That every person, firm or corporation being the owner, lessee or occupant of any
2 factory, workshop or other place where labor is employed and who employs labor therein
3 shall be liable to every person employed by him for injury sustained by such person
4 through the negligence of any other servant or employe of such employer, and any contract
5 by an employe waiving the benefit of this section shall be invalid.

SEC. 8. That in all suits to recover for labor actually performed there shall be allowed to
2 the plaintiff and be included in the recovery by him in the action, as costs, a reasonable at-
3 torneys' fee, and a debt for money due for such labor shall have priority over all other
4 claims in case of attachment or execution against the employer or of his making an assign-
5 ment for the benefit of his creditors, provided the person having such claim for labor insti-
6 tutes proceedings to recover the same within thirty day from the date of the levy of such
7 attachment or execution or files the same with the assignee within six months after the
8 making of such assignment and as against debts due for labor performed to the extent of
9 one hundred dollars to each operative, none of the exemptions provided for by the laws of
10 this State shall apply.

SEC. 9. That it shall be the duty of the local boards of health of the State in their re-
2 spective localities, to see that the sanitary provisions of this act are fully carried out by the

3 employers of labor as herein contemplated, and if any person or corporation coming under
4 the provisions of this act fail to comply with any of the requirements hereof, or obstruct or
5 interfere with the proper officer or person appointed by the local board of health to visit
6 and examine the place where labor is employed as is herein contemplated in the discharge
7 of such duty such person or corporation shall be deemed guilty of a misdemeanor, and the
8 employer of labor as herein contemplated who shall fail to observe any of the provisions of
9 this act to be observed by him, shall, in addition to the penalty herein before provided be
10 liable to any employe who is injured in body or health because of such non-observance for
11 all damages thereby sustained by such employe.