

A BILL

FOR AN ACT TO CREATE A STATE SOCIETY OF LABOR AND INDUSTRY, WITH POWER TO ELECT A SECRETARY, WHO SHALL SUCCEED TO THE POWERS AND DUTIES OF THE COMMISSIONER OF LABOR STATISTICS AND BE EX OFFICIO STATE FACTORY INSPECTOR, AND AN ASSISTANT SECRETARY, WHO SHALL BE ASSISTANT COMMISSIONER OF LABOR STATISTICS, AND TO COLLECT, REPORT AND DISSEMINATE STATISTICS OF LABOR AND INDUSTRY, AND REPEALING CHAPTER EIGHT (8), OF TITLE TWELVE (12), CODE OF 1897.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Whenever seven or more laborers, working men, miners of coal, iron, zinc or
2 other minerals for wages, mechanics, railway laborers or other wage-earners who are now
3 organized or shall hereafter organize as a labor association or labor society, in any county,
4 city or other municipality in the state of Iowa, for the purpose of collecting, studying and
5 disseminating statistics of labor and industry, or for the investigation of economic, commer-
6 cial or industrial pursuits, or for the improvement and promotion of the various branches of
7 labor represented by such association or societies, or for other purposes hereinafter men-
8 tioned in this act, said association or society shall be authorized to choose one delegate for
9 the first fifty members or fraction thereof, and one delegate for each additional 100 members
10 or majority fraction thereof, to represent such association or society in the annual meeting of
11 the state society of labor and industry, and said delegate or delegates shall be duly certified
12 under oath as elected under the above basis, by the presiding officer and secretary of such
13 association or society; such delegate or delegates shall be admitted to and become members
14 of the state society of labor and industry until the second Monday in May next following, or
15 until their successor shall have been chosen and admitted; provided, that such association or
16 society shall have been organized at least ninety days, and that the officers of said association
17 or society shall have made a report to the commissioner of labor statistics for the previous
18 year upon the labor and industrial conditions, and otherwise shall have answered such
19 interrogatories propounded by the commissioner of labor statistics in his annual blanks; and

20 further provided, that at any time any such association or society may recall its delegate or
21 delegates by choosing their successors as herein provided for.

Sec. 2. On the second Monday in May, 1900, and every year thereafter, the delegates
2 elected to said state society of labor and industry shall assemble at the state capitol, at an
3 hour and place to be fixed by the secretary in his annual call therefor, said call to be sent to
4 each association or society at least thirty days before such assembling; provided, that the
5 call for the first meeting in May, 1900, shall be issued by the commissioner of labor statistics
6 immediately after the passage of this act, and he shall preside at said meeting until the
7 state society of labor and industry shall have organized. Every association or society
8 desiring to be represented in said meeting on the second Monday in May, 1900, shall at least
9 five days before said meeting certify to the commissioner of labor statistics the election of its
10 delegate or delegates. The delegates present at the time and place fixed for the said first
11 meeting or any subsequent meeting shall be deemed a quorum competent to transact all
12 business to be done by said meeting under this act, and said state society of labor and
13 industry shall be competent to adopt and amend a constitution and by-laws and other regula-
14 tions for the government of said society and for the promotion of the purposes of this act,
15 not conflicting with the provisions of this act. The delegates shall elect a president, vice-
16 president, secretary and assistant secretary, which officials shall constitute a state bureau of
17 labor and industry, and said secretary shall be *ex officio* commissioner of the bureau of labor
18 and industry and state factory inspector, and said assistant secretary shall be *ex officio*
19 assistant commissioner of said bureau, and the terms of said officers shall be as follows:
20 The president and vice-president shall hold their offices until the next annual meeting or
21 until the election of their successors; the secretary and assistant secretary shall hold their
22 offices for two years or until their successors are elected and qualified, unless removed by a
23 two-thirds majority vote present at the next annual meeting. The election of the secretary
24 of the state society of labor and industry, and the assistant secretary of said society, shall
25 be certified, under oath, to the secretary of state by the president and vice-president of the
26 state society of labor and industry, and before entering upon the discharge of their duties,
27 said officers shall subscribe to the usual oath of office administered by the secretary of state,
28 and the official terms of office of said secretary and assistant secretary shall begin July 1,
29 1900, and biennially thereafter, except in case of removal. When said delegates shall have
30 assembled on the second Monday in May, 1900, and shall have elected said officers as herein
31 provided, the state society of labor and industry shall be deemed constituted, and the
32 presiding officer shall so declare, and the president and vice-president elected shall thereupon

33 assume the functions of their offices, and said society shall thereafter continue and shall be
34 known by said designation of the state society of labor and industry. The present officials
35 of the bureau of labor statistics shall continue to act as such officers and perform their duties
36 under this act until the end of the fiscal year, June 30, 1900, and the unexpended portion of
37 the appropriation made for the bureau of labor statistics for the fiscal year ending June 30,
38 1900, is hereby transferred and made available under this act, and such unexpended portion
39 of said appropriation may be drawn from the original purposes for which they were appropri-
40 ated. The secretary of the state society of labor and industry, as commissioner of said
41 bureau, shall have an office in the state capitol building, properly furnished for the work of
42 said bureau, and shall perform his duties as herein provided.

Sec. 3. It shall be the duty of the commissioner to collect, assort, arrange and present,
2 in biennial reports to the governor, to be by him transmitted to the legislature, statistical
3 details relating to all departments of labor and industrial pursuits in the state; to the subjects
4 of co-operation, strikes, and other labor difficulties; to trade unions and other labor organiza-
5 tions and their effect upon labor and capital; to other matters relating to the commercial,
6 industrial, social, educational, moral and sanitary conditions prevailing within the state; and
7 the exploitation of such other subjects as will tend to promote the permanent prosperity of
8 the respective industries of the state. It shall also be the duty of the commissioner of the
9 bureau to cause to be enforced all laws regulating the employment of children, minors and
10 women; all laws established for the protection of health, lives and limbs of operators in
11 workshops and factories, on railroads and other places, and all laws enacted for the protec-
12 tion of the working classes now in force or that may hereafter be enacted. In its biennial
13 report the bureau shall also give an account of all proceedings which have been taken in
14 accordance with the provisions of this act, or any of the other laws herein referred to, and in
15 addition thereto such remarks, suggestions and recommendations as the commissioner may
16 deem necessary for the information of the legislature.

Sec. 4. The commissioner is hereby authorized to furnish and deliver a written or
2 printed list of interrogatories to any person, company or the proper officer of any corporation,
3 operating within the state, and require full and complete answers to be made thereto, and
4 returned under oath; the commissioner shall have a seal and have power to take and
5 preserve testimony, to issue subpoenas, and administer oaths and examine witnesses under
6 oath in all matters relating to the duties herein required by said bureau, such testimony to
7 be taken in some suitable place in the vicinity to which the testimony is applicable.
8 Witnesses subpoenaed and testifying before the commissioner of said bureau shall be paid the

9 same fees as witnesses before the district court, such payment to be made from the incidental
10 fund of the bureau. Any person duly subpoenaed under the provision of this act who
11 shall wilfully neglect or refuse to attend, or refuse to answer any question propounded to
12 him concerning the subject of such examination as provided in this act, or if any person to
13 whom a written or printed list of interrogatories has been furnished by said commissioner
14 shall neglect or refuse to answer and return the same under oath, such person or persons
15 shall be deemed guilty of a misdemeanor, and upon complaint of the commissioner before a
16 court of competent jurisdiction, and upon conviction thereof, such person or persons shall be
17 fined in a sum not less than \$25 nor more than \$100, or by imprisonment in the county jail,
18 not exceeding ninety days, or by both such fine and imprisonment; provided, however, that
19 no witness shall be compelled to go outside of the county in which he resides to testify. In
20 the report of said bureau no use shall be made of the names of individuals, firms or corpora-
21 tions supplying the information called for by this act, unless by written permission, such
22 information being deemed confidential and not for the purpose of disclosing personal affairs,
23 and any officer, agent or employe of the bureau violating this provision shall forfeit a sum
24 not exceeding \$500 or be imprisoned not more than one year.

Sec. 5. The commissioner as state factory inspector shall have power to enter any factory
2 or mill, workshop, private works or state institutions which have shops or factories, when the
3 same are open or in operation, for the purpose of gathering facts and statistics such as are
4 contemplated by this act, and to examine into the methods of protection from danger to
5 employes and the sanitary conditions in and around such buildings and places and to make a
6 record thereof of such inspection. If the commissioner as state factory inspector shall find
7 upon such inspection that the heating, lighting, ventilation or sanitary arrangement of any
8 workshops or factories is such as to be injurious to the health of the persons employed or
9 residing therein, or that the means of egress in case of fire or other disaster are not sufficient,
10 or that the belting, shafting gearing, elevators, drums, saws, cogs and machinery in such
11 workshops and factories are located or are in a condition so as to be dangerous to employes,
12 and not sufficiently guarded, or that the vats, pans, or any other structures, filled with molten
13 metal or hot liquid, are not surrounded with proper safeguards for preventing accident or
14 injury to those employed at or near them, he shall notify in writing the owner, proprietor or
15 agent of such workshops or factories to make, within thirty days, the alterations or additions
16 by him deemed necessary for the safety and protection of the employes; and if such altera-
17 tions or additions are not made within thirty days from the date of such written notice, or
18 within such time as said alterations or additions can be made with proper diligence upon the

19 part of such proprietors, owners, or agents, said proprietors, owners, or agents so notified shall
20 be deemed guilty of a misdemeanor, and upon complaint of the commissioner as state factory
21 inspector before a court of competent jurisdiction, and upon conviction thereof, shall be fined
22 in a sum not less than \$25 nor more than \$200 or by imprisonment not more than ninety
23 days, or by both such fine and imprisonment.

Sec. 6. The following expressions used in this act shall have the following meaning:

2 The expression "person" means an individual, corporation, partnership, company, or associa-
3 tion. The expression "children" means minor persons under the age of fourteen years. The
4 expression "minor" means a male person under the age of twenty-one years, or a female
5 person under the age of eighteen years. The expression "women" means female persons of
6 eighteen years of age and upward. The expression "factory" means any premises where
7 steam, water or other mechanical power is used in aid of any manufacturing process there
8 carried on. The expression "workshop" means any premises, room, or place, not being a
9 factory as above defined, wherein any manual labor is exercised by way of trade, or for the
10 purpose of gain in or incidental to any process of making, altering, repairing, ornamenting,
11 finishing or adapting for sale any article or part of an article, and to which or over which
12 premises, room, or place the employer of the person or persons working therein has the right
13 of access or control; provided, however, that the exercise of such manual labor in a private
14 house or a private room by the family dwelling therein, or by any of them, or in case a
15 majority of persons therein employed are members of such family, shall not of itself constitute
16 such house or room a workshop within this definition. The aforesaid expressions shall have
17 the meaning above defined for them, respectively, in all laws of this state relating to the
18 employment of labor, unless a different meaning is plainly required by the context.

Sec. 7. All state, county, township and city officers are hereby directed to furnish said
2 commissioner, upon his request, such statistical or other information contemplated by this
3 act as shall be in their possession as such officers.

Sec. 8. The annual reports of the bureau of labor and industry provided for in this act
2 shall be printed in the same manner and under the same regulations as the report of the
3 executive officers of the state; provided, not less than 3,000 nor more than 10,000 copies of the
4 report shall be printed and distributed biennially, as the judgment of the commissioner may
5 deem best; and provided, further, that said report shall not contain more than 600 pages. The
6 blanks and other stationery required in accordance with the provisions of this shall be
7 furnished by the secretary of state, upon the requisition of the commissioner of said bureau,
8 and paid for from the printing fund of the state.

2 Sec. 9. In addition to the assistant commissioner provided for by section 2 of this act,
3 the commissioner shall appoint a stenographer for the bureau, and he may also employ
4 special agents and such other assistants as may be necessary in the discharge of the official
5 duties of said bureau; such special agents and other assistants shall be paid for the services
6 rendered such compensation as the commissioner may deem proper, but no such agents or
7 assistants shall be paid more than three dollars per day in addition to necessary traveling
8 expenses.

2 Sec. 10. The compensation of officials of said bureau of labor and industry shall be as
3 follows: Annual salary of the commissioner, \$1,500; annual salary of the assistant commis-
4 sioner, \$1,200; annual salary of the stenographer, \$720; and the further sums of \$800 for
5 postage and expressage, and \$800 for special agents and other assistants, and \$1,500 for the
6 necessary traveling and incidental expenses of the bureau, shall be allowed annually and
7 payable upon proper vouchers certified by the commissioner.

2 Sec. 11. Chapter 8, of title 12, code of 1897, and all other acts or parts of acts inconsistent
3 with the provisions of this act are hereby repealed.