

Reported Recommending .....  
Ind. Postponed.....  
Passed House .....  
Failed to Pass House.....  
Passed Senate .....  
Failed to Pass Senate.....

House File 165

January 26, 1945.  
Judiciary 2.

By LESS, UTZIG, WORMLEY, SLOANE  
and DONOHUE.

## A BILL FOR

An Act to repeal sections one thousand four hundred forty-seven (1447), one thousand four hundred forty-eight (1448), one thousand four hundred forty-nine (1449), and one thousand four hundred fifty-two (1452), Code, 1939, dealing with appeals from findings of a Board of Arbitration to the Industrial Commissioner in Workmen's Compensation cases; to provide in lieu thereof for appeals from the Board of Arbitration directly to the District Court; and to amend sections one thousand four hundred fifty three (1453) and one thousand four hundred fifty-four (1454), Code, 1939.

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

1 Section 1. Sections one thousand four hundred forty-  
2 seven (1447), one thousand four hundred forty-eight (1448),  
3 one thousand four hundred forty-nine (1449) and one thousand  
4 four hundred fifty two, Code, 1939, are hereby repealed, and  
5 the following enacted in lieu thereof:

6 "Any party aggrieved by the decision of a Board of  
7 Arbitration may, within fifteen days after such decision  
8 is filed, appeal therefrom to the District Court of the county  
9 in which the injury occurred by filing in the office of the  
10 Industrial Commissioner a written notice of appeal setting  
11 forth in general terms the decision appealed from and the

12 ground of appeal.

13 “The Commissioner shall forthwith give notice to the  
14 other parties in interest. Such hearing on appeal shall be  
15 in the District Court, and the District Court shall hear  
16 the parties, consider all the evidence taken before the Board  
17 of Arbitration as transcribed, and may hear any additional  
18 evidence, and the Court may affirm, modify or reverse the  
19 decision of the Board or may remand to the Board for further  
20 findings of fact.

21 “Additional evidence to that presented and admitted  
22 in arbitration proceedings shall not be introduced by either  
23 party unless such party gives the opposite party or his  
24 attorney five (5) days notice in writing, stating the  
25 particular phase of the controversial claim to which such  
26 evidence will apply.”

1 Sec. 2. Amend section one thousand four hundred fifty-  
2 three (1453), Code, 1939, by striking in line two (2) the  
3 words “industrial commissioner” and inserting the words  
4 “board of arbitration”. Further amend by striking in line  
5 five (5) the word “commissioner” and inserting the words  
6 “board of arbitration”. Further amend by striking in line  
7 nine (9) the word “commissioner” and inserting the words  
8 “board of arbitration”.

1 Sec. 3. Amend section one thousand four hundred fifty  
2 four (1454), Code, 1939, by striking the words “industrial  
3 commissioner” in lines three (3) and four (4) and inserting the words

- 4 "board of arbitration"; also by striking from line five
- 5 (5) the word, "commissioner" and inserting in lieu thereof
- 6 the word, "board".

EXPLANATION OF H. F. 165

The present Workmen's Compensation Act provides for appeals from the findings of the industrial commissioner to the commissioner, thence to the District Court, thence to the Supreme Court, resulting in additional delay, expense and inconvenience for the employee before final termination of his case.

This bill attempts to partially correct this condition by eliminating at least one appeal, delay and expense for the employee.