

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

Senate File 114

January 23, 1945.
Passed on File.

By BYERS, BEKMAN and CLEM.

A BILL FOR

An Act to amend section fourteen hundred twenty-four (1424), fourteen hundred twenty-five (1425), fourteen hundred thirty-seven (1437), fourteen hundred thirty-eight (1438), fourteen hundred forty (1440), fourteen hundred forty-one (1441), fourteen hundred forty-two (1442), fourteen hundred forty-three (1443), fourteen hundred forty-four (1444), fourteen hundred forty-six (1446), fourteen hundred forty-seven (1447), fourteen hundred sixty (1460) of the 1939 code of Iowa relating Workmen's Compensation Law of Iowa, providing for additional deputy industrial commissioner and prescribing the powers and duties of the industrial commissioner, his deputies, and providing for procedure for hearings on application for arbitration before the deputy industrial commissioners and boards of arbitration.

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

1 Section 1. Section fourteen hundred twenty-four (1424),
2 code 1939, is hereby amended by striking from line two (2)
3 thereof the word "deputy" and inserting in lieu thereof
4 the following:

5 "first and second deputy industrial commissioner"

1 Sec. 2. Section fourteen hundred twenty-five (1425),
2 code, 1939, is hereby amended by striking from line four (4)
3 the word "deputy" and by inserting in lieu thereof the word
4 "deputies".

1 Sec. 3. Section fourteen hundred thirty-seven (1437),
2 code 1939, is hereby repealed and the following enacted in
3 lieu thereof:

4 “If the employer and injured employee or his
5 representatives or dependents fail to reach
6 an agreement in regard to compensation, either
7 party may file with the industrial commissioner
8 a petition for arbitration together with two
9 copies thereof, stating therein his or her claims
10 in general terms. Thereupon the commissioner or
11 one of the deputies shall in writing notify the
12 parties that the defendant is given at least ten
13 days in which to answer said petition or other-
14 wise plead. A defense other than a general denial
15 of claimant’s alleged facts must be plead as a
16 special defense.”

1 Sec. 4. Section fourteen hundred thirty-eight (1438),
2 code 1939, is hereby repealed and the following enacted in
3 lieu thereof:

4 “Petitions for arbitration shall be heard before
5 a deputy industrial commissioner unless either
6 party shall notify the industrial commissioner
7 or a deputy before the time fixed for hearing
8 that they desire a board of arbitration to hear
9 and determine the rights of the respective parties.
10 When a board of arbitration is requested by either

11 party, such board shall consist of three persons,
12 one of whom shall be a deputy industrial commission-
13 er, who shall act as chairman. The other two arbi-
14 trators shall be named, respectively, by the two
15 parties to the proceeding.”

1 Sec. 5. Amend section fourteen hundred forty (1440),
2 code 1939, by adding after the word “The” in line one (1) the
3 following:

4 “deputy industrial commissioner or the”

5 Further amend said section by striking from line four
6 (4) the word “board” and by inserting in lieu thereof the
7 following:

8 “deputy industrial commissioner or the board
9 of arbitration”

10 Further amend this section by striking from lines
11 eight (8) and nine (9) the words “of the board”.

12 Further amend said section in line twelve (12) by
13 inserting after the word “commissioner” the following:

14 “or one of his deputies”

1 Sec. 6. Amend section fourteen hundred forty-one
2 (1441), code 1939, by adding in line five (5) after the
3 word “commissioner” the following:

4 “or his deputies”

1 Sec. 7. Amend section fourteen hundred forty-two
2 (1442), code 1939, by adding the words “or one of his
3 deputies” after the word “commissioner” where it appears

4 in lines four (4), five (5), and seven (7) of said section.

1 Sec. 8. Amend section fourteen hundred forty-three
2 (1443), code 1939, by adding the words "or one of his depu-
3 ties" after the word "commissioner" where it appears in
4 lines two (2) and four (4) of said section.

1 Sec. 9. Amend section fourteen hundred forty-four
2 (1444), code 1939, by adding the words "or one of his deputies"
3 after the word "commissioner" in line four (4) of said
4 section.

1 Sec. 10. Section fourteen hundred forty-six (1446),
2 code 1939, is hereby repealed and the following enacted in
3 lieu thereof:

4 "The decision of a deputy industrial commissioner
5 or board of arbitration, together with a statement
6 or certificate of evidence submitted at the hearing,
7 the findings of fact, rulings of law and any other
8 matters pertinent to questions arising at such hearing,
9 shall be filed in the office of the industrial commissioner."

1 Sec. 11. Amend section fourteen hundred forty-seven
2 (1447), code 1939, by adding in line two (2) after the word
3 "a" the following:

4 "deputy industrial commissioner or"

5 Further amend said section by inserting in line
6 eleven (11) after the word "the" the following:

7 "deputy industrial commissioner or"

1 Sec. 12. Amend section fourteen hundred sixty (1460),

- 2 code 1939, by adding in line two (2) after the word "a" the
- 3 following:
- 4 "deputy industrial commissioner or"