

SENATE FILE

322

BY BRUNER

FILED FEB 21 1985

Passed Senate, Date _____ Passed House, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

- 1 An Act to provide occupational safeguards for public employees
- 2 operating video display terminals.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 4

S-3317

SENATE FILE 322

- 1 Amend Senate File 322 as follows:
- 2 1. Page 3, line 23, by inserting after the word
- 3 "transfer." the following: "If a temporary transfer
- 4 from terminal work is not practicable, the employer
- 5 shall provide the operator with a protective lead
- 6 apron to be worn during terminal work."
- 7 2. Page 4, line 6, by inserting after the word
- 8 "quest." the following: "However, operators may not
- 9 request more than one eye examination per year."
- 10 3. Page 5, line 21, by striking the word
- 11 "commission" and inserting the following: "bureau of
- 12 labor".
- 13 4. Page 5, line 22, by striking the words and
- 14 figures "sections 88.6 through 88.11" and inserting
- 15 the following: "chapter 91".

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By BRUNER

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1 Section 1. NEW SECTION. 88C.1 DEFINITIONS.

2 As used in this chapter unless the context otherwise re-
3 quires:

4 1. "Video display terminal" or "terminal" means a machine
5 which displays data on the surface of a cathode-ray tube.
6 This section does not apply to televisions, except to the
7 extent that they are used as terminals for presentation of
8 verbal, numerical or written data, nor does this section apply
9 to oscilloscope screens.

10 2. "Terminal operator" or "operator" means an employee
11 whose principal function involves the use of a terminal, and
12 who customarily uses a terminal for periods of two or more
13 uninterrupted hours per day or for an aggregate total of at
14 least four hours per day.

15 3. "Employer" means an employer as defined in section
16 97B.41, subsection 3, paragraph "a".

17 4. "Employee" means an employee as defined in section
18 97B.41, subsection 3, paragraph "b".

19 5. "Commission" means the occupational safety and health
20 review commission established in section 88.10.

21 Sec. 2. NEW SECTION. 88C.2 TERMINAL AREA LIGHTING.

22 An employer shall comply with the following standards for
23 lighting in workplaces where terminals are used:

24 1. The light level in the workplace during the operation
25 of a terminal shall be no higher than the level recommended by
26 the national institute for occupational safety and health.

27 2. Lighting in rooms or areas where terminals are used
28 shall be adjustable.

29 3. Separate desk lamps to be used for illumination of
30 finely printed copy shall be available to operators upon re-
31 quest.

32 4. Excess glare in terminal areas shall be reduced or
33 eliminated through one or more of the following measures:

34 a. Indirect lighting systems shall be installed.

35 b. Recessed fixtures equipped with louvers to direct light

1 downward shall be installed.

2 c. Curtains, drapes or blinds shall be installed on the
3 windows to reduce glare sources.

4 d. Terminals shall be positioned with respect to lighting
5 and windows in such a way that glare sources are not directly
6 in front of the operator and are not reflected on the terminal
7 screen.

8 e. Baffles shall be installed to cover light fixtures and
9 prevent them from acting as glare sources.

10 f. Screen hoods shall be installed on terminals to at
11 least partially shield the screens from reflectors.

12 g. Filters shall be installed on all lighting determined
13 to be a glare source.

14 Sec. 3. NEW SECTION. 88C.3 TERMINAL AREA NOISE CONTROL.

15 An employer shall comply with the following standards for
16 noise levels in workplaces where terminals are used:

17 1. Whenever possible, printers shall be operated in areas
18 separate from areas where terminals are used.

19 2. Printers shall be equipped with acoustic covers to
20 facilitate noise reduction.

21 3. Employers shall, when purchasing printers, make rea-
22 sonable attempts to purchase those designed for reduced noise
23 levels.

24 Sec. 4. NEW SECTION. 88C.4 TERMINAL FEATURES AND AC-
25 CESSORIES.

26 All terminals used by operators shall be equipped with the
27 following features:

28 1. A chair readily adjustable by the operator for seat
29 height and backrest tension.

30 2. A desk or table readily adjustable by the operator for
31 both terminal and keyboard height.

32 3. A wrist rest upon request by the operator.

33 4. A footrest upon request by the operator.

34 5. A document holder readily adjustable by operators who
35 use documents in connection with their terminal work.

1 6. A detachable keyboard which is separable by at least
2 one foot from the terminal, or another device which allows the
3 operator to maintain correct viewing and typing postures.

4 7. Adjustable brightness and contrast controls for the
5 terminal screen.

6 8. Tilttable terminal screens or tilttable terminal plat-
7 forms.

8 Sec. 5. NEW SECTION. 88C.5 TERMINAL RADIATION CONTROLS.

9 1. All terminals not contained in metal cabinets or
10 cabinets with metal coatings shall have their transformers
11 shielded by a structure or conductive metal to block radio
12 frequency radiation.

13 2. The commission shall monitor developments in the field
14 of terminal radiation research and initiate corrective
15 measures as deemed appropriate.

16 3. Employers shall provide only terminal equipment for
17 which the manufacturer provides data relative to emission
18 levels, including, but not limited to, radiation emissions.

19 Sec. 6. NEW SECTION. 88C.6 PREGNANT TERMINAL OPERATORS.

20 A pregnant terminal operator shall, upon request, be of-
21 fered alternative employment at the same worksite during the
22 term of pregnancy without suffering reduction in pay, benefits
23 or seniority as a result of transfer. This section applies
24 only to employers with more than five employees.

25 Sec. 7. NEW SECTION. 88C.7 INSPECTIONS.

26 Employers shall provide for regular inspections and main-
27 tenance of all terminals to ensure clear, legible screen dis-
28 plays, attenuation of high frequency noise, and proper
29 functioning of all terminal components. Employers shall
30 maintain records of all inspections and maintenance performed
31 on the terminals and the records shall be available for
32 examination by the commission, the terminal operators or
33 authorized representatives of the operators.

34 Sec. 8. NEW SECTION. 88C.8 EYE SAFETY FOR TERMINAL
35 OPERATORS.

1 Employers shall make the following provisions for the
2 visual health and safety of operators:

3 1. Operators shall have an eye examination, either before
4 starting terminal work or within thirty days thereafter. Sub-
5 sequent examinations shall be provided at the operator's re-
6 quest. Costs, or portions of costs, of operator eye
7 examinations not covered by an insurance policy shall be borne
8 by the employer.

9 2. Ophthalmological and optometric eye examinations shall
10 be performed with a particular sensitivity to the unique
11 demands and strains placed on the human eye by terminal work.

12 3. Results of all eye examinations shall be made available
13 to the terminal operators and, with their consent, to their
14 authorized representatives.

15 4. Special eyeglasses necessitated by terminal work shall
16 be available at no cost to the operators unless they are also
17 used by operators for another purpose.

18 5. Employers shall not use the results of an
19 ophthalmological or optometric examination for purposes of
20 screening prospective terminal operators as to their
21 suitability for employment.

22 Sec. 9. NEW SECTION. 88C.9 BREAKS AND ALTERNATIVE WORK
23 ASSIGNMENTS.

24 Employers shall provide rest breaks and alternative work
25 assignments for operators as necessitated by the nature and
26 intensity of the terminal work and as recommended by the
27 national institute for occupational safety and health.

28 Sec. 10. NEW SECTION. 88C.10 EMPLOYER DISCLOSURE OBLIGA-
29 TIONS.

30 Employers shall upon request provide operators with the in-
31 formation at the employer's disposal relative to the following
32 subjects:

33 1. The respective rights and duties of employers and em-
34 ployees under this chapter.

35 2. The results of job performance appraisals conducted

1 relative to operators. Results shall be made available to an
2 affected operator as soon as practicable after an appraisal
3 has been conducted, and the operator shall be given the oppor-
4 tunity to comment on, object to, or otherwise address any
5 finding of an appraisal that is to be included in a permanent
6 record or file of the operator's job performance.

7 3. Hazards and symptoms associated with terminal use,
8 including, but not limited to, the following:

- 9 a. Deterioration of visual acuity, either temporary or
10 permanent, including changes in color perception.
- 11 b. Headaches and burning or itching of eyes.
- 12 c. Muscular and skeletal soreness, stiffness and related
13 disorders.
- 14 d. The possibility of complications in cases of pregnant
15 terminal operators.

16 Sec. 11. NEW SECTION. 88C.11 VIOLATIONS AND ENFORCEMENT.

17 1. The department of general services shall enforce the
18 terminal equipment specifications listed in sections 88C.4 and
19 88C.5 through its purchasing policies.

20 2. Other provisions of this chapter shall be enforced by
21 the commission in accordance with the procedures set out in
22 sections 88.6 through 88.11.

23 Sec. 12. Notwithstanding other provisions of this chapter,
24 where an employee has been assigned to terminal work prior to
25 the effective date of this Act, the operator shall have an eye
26 examination within six months of that date.

27 Sec. 13. Notwithstanding other provisions of this Act, an
28 employer who is employing one or more operators on the
29 effective date of this Act shall not be held accountable for
30 violations of this chapter until July 1, 1986.

31 Sec. 14. It is the intent of the general assembly that
32 this chapter be repealed on January 1, 1991, unless a later
33 enacted statute, codified prior to January 1, 1991, deletes or
34 extends that date.

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EXPLANATION

1 This bill provides occupational safeguards for public em-
2 ployees who work as video terminal operators. It includes
3 sections which define terms, set various standards for
4 terminal equipment and workplace environment, provide for
5 inspections and provide for employee eye examinations.

6 The bill also authorizes the occupational safety and health
7 review commission to ensure compliance with the various
8 standards, and specifies obligations of the employers affected
9 by the bill.

10 The bill creates a new chapter 88C and provides for its own
11 repeal on January 1, 1991.

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