

7 1970
February 11, 1970
Place on Calendar

HOUSE FILE 1251

By COMMITTEE ON HUMAN AND
INDUSTRIAL RELATIONS

Passed House, Date 2-20-70 Passed Senate, Date.....

Vote: Ayes 101 Nays 17 Vote: Ayes..... Nays.....

Approved.....

A BILL FOR

1 An Act relating to child labor.

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

3 Section 1. Chapter ninety-two (92), Code 1966, as amended
4 by chapter one hundred sixteen (116), section one (1), Acts of
5 the Sixty-second General Assembly, is hereby repealed and the
6 following sections enacted in lieu thereof:

7 Sec. 2.

8 1. No person under ten years of age shall be employed or
9 permitted to work with or without compensation at any time
10 within this state in or in connection with migratory labor,
11 street occupations of peddling, bootblacking, the distribution
12 or sale of newspapers, magazines, periodicals, or circulars,
13 nor in any other occupations in any street or public place,
14 except that the commissioner of labor shall, when ordered by
15 a judge of the juvenile court, issue a work permit as provided
16 in this Act to a person under ten years of age.

17 2. No person under twelve years of age shall be employed or
18 permitted to work with or without compensation at any time within
19 this state in or in connection with migratory labor, except that
20 the commissioner of labor may upon sufficient showing by a judge
21 of the juvenile court, issue a work permit as provided in this
22 Act to a person under twelve years of age.

23 Sec. 3. No person between ten and sixteen years of age shall
24 be employed or permitted to work with or without compensation
25 in connection with any of the occupations mentioned in section

1 two (2) of this Act unless he complies with all the requirements
2 for the issuance of work permits as described in section eleven
3 (11) of this Act. Upon compliance with the requirements of
4 this Act, such person shall be entitled to receive from the
5 officer authorized to issue work permits, a street trade per-
6 mit which shall authorize such person to engage in the occupa-
7 tions set forth in section two (2) of this Act, at such time
8 or times specified in the work permit, between five o'clock
9 a.m. and ten o'clock p.m. each day.

10 Sec. 4. No person under fourteen years of age shall be em-
11 ployed or permitted to work with or without compensation in any
12 occupation, except in the street trade occupations or migratory
13 labor occupations specified in section two (2) of this Act.
14 Any migratory laborer twelve to fourteen years of age may not
15 work prior to or during the regular school hours of any day of
16 any private or public school which teaches general education
17 subjects and which is available to such child.

18 Sec. 5. No person under sixteen years of age shall be em-
19 ployed or permitted to work with or without compensation in any
20 occupation during regular school hours, except:

21 1. Those persons legally out of school, and such status is
22 verified by the submission of written proof to the commissioner
23 of labor.

24 2. Those persons working in a supervised school-work pro-
25 gram.

26 3. Those persons between the ages of fourteen and sixteen
27 enrolled in school on a part-time basis and who are required to
28 work as a part of their school training.

29 4. Fourteen and fifteen year old migrant laborers during
30 any hours when summer school is in session.

31 Sec. 6. Persons fourteen and fifteen years of age may be
32 employed or permitted to work in the following occupations:

33 1. Retail, food service, and gasoline service establishments.

34 2. Office and clerical work, including operation of office
35 machines.

- 1 3. Cashiering, selling, modeling, art work, work in adver-
- 2 tising departments, window trimming and comparative shopping.
- 3 4. Price marking and tagging by hand or by machine, assem-
- 4 bling orders, packing and shelving.
- 5 5. Bagging and carrying out customers' orders.
- 6 6. Errand and delivery work by foot, bicycle, and public
- 7 transportation.
- 8 7. Clean-up work, including the use of vacuum cleaners and
- 9 floor waxers, and maintenance of grounds.
- 10 8. Kitchen work and other work involved in preparing and
- 11 serving food and beverages, including the operation of machines
- 12 and devices used in the performance of such work, including but
- 13 not limited to, dishwashers, toasters, dumbwaiters, popcorn
- 14 poppers, milk shake blenders, and coffee grinders.
- 15 9. Work in connection with motor vehicles and trucks if
- 16 confined to the following:
- 17 a. Dispensing gasoline and oil.
- 18 b. Courtesy service.
- 19 c. Car cleaning, washing and polishing.
- 20 Nothing in this subsection shall be construed to include work
- 21 involving the use of pits, racks or lifting apparatus or involv-
- 22 ing the inflation of any tire mounted on a rim equipped with
- 23 a removable retaining ring.
- 24 10. Cleaning vegetables and fruits, and wrapping, sealing,
- 25 labeling, weighing, pricing and stocking goods when performed
- 26 in areas physically separate from areas where meat is prepared
- 27 for sale and outside freezers or meat coolers.
- 28 Sec. 7. Persons fourteen and fifteen years of age may not
- 29 be employed in:
- 30 1. Any manufacturing occupation.
- 31 2. Any mining occupation.
- 32 3. Processing occupations, except in a retail, food service,
- 33 or gasoline service establishment in those specific occupations
- 34 expressly permitted under the provisions of section six (6) of
- 35 this Act.

1 4. Occupations requiring the performance of any duties in
2 workrooms or work places where goods are manufactured, mined,
3 or otherwise processed, except to the extent expressly permitted
4 in retail, food service, or gasoline service establishments un-
5 der the provisions of section six (6) of this Act.

6 5. Public messenger service.

7 6. Operation or tending of hoisting apparatus or of any
8 power-driven machinery, other than office machines and machines
9 in retail, food service, and gasoline service establishments
10 which are specified in section six (6) of this Act as machines
11 which such minors may operate in such establishments.

12 7. Any occupations found and declared to be hazardous by
13 the committee on child labor.

14 8. Occupations in connection with the following, except of-
15 fice or sales work in connection with these occupations, not
16 performed on transportation media or at the actual construction
17 site:

18 a. Transportation of persons or property by rail, highway,
19 air, on water, pipeline, or other means.

20 b. Warehousing and storage.

21 c. Communications and public utilities.

22 d. Construction, including repair.

23 9. Any of the following occupations in a retail, food ser-
24 vice, or gasoline service establishment:

25 a. Work performed in or about boiler or engine rooms.

26 b. Work in connection with maintenance or repair of the
27 establishment, machines or equipment.

28 c. Outside window washing that involves working from win-
29 dowsills, and all work requiring the use of ladders, scaffolds
30 or their substitutes.

31 d. Cooking, except at soda fountains, lunch counters, snack
32 bars, or cafeteria serving counters, and baking.

33 e. Occupations which involve operating, setting up, adjust-
34 ing, cleaning, oiling, or repairing power-driven food slicers
35 and grinders, food choppers and cutters, and bakery-type mixers.

1 f. Work in freezers and meat coolers and all work in prepar-
2 ation of meats for sale, except wrapping, sealing, labeling,
3 weighing, pricing and stocking when performed in other areas,

4 g. Loading and unloading goods to and from trucks, railroad
5 cars and conveyors.

6 h. All occupations in warehouses except office and clerical
7 work.

8 Nothing in this section shall be construed as prohibiting any
9 child from working in any of the above establishments or occupa-
10 tions when operated by his parents.

11 Sec. 8. No person under sixteen years of age shall be em-
12 ployed with or without compensation except as provided in sec-
13 tion four (4) of this Act before the hour of seven o'clock a.m.
14 or after ten o'clock p.m., except during the period from June
15 first through Labor Day when the hours may be extended to twelve
16 o'clock p.m. If such person is employed for a period of five
17 hours or more each day, an intermission of not less than thirty
18 minutes shall be given. No such person shall be employed for
19 more than eight hours in one day, exclusive of intermission,
20 nor shall such person be employed for more than forty hours in
21 one week. The hours of work of persons under sixteen years of
22 age employed outside school hours shall not exceed four in one
23 day or twenty-eight in one week while school is in session.

24 Sec. 9. No person under eighteen years of age shall be em-
25 ployed or permitted to work with or without compensation at any
26 of the following occupations or business establishments:

27 1. Occupations in or about plants or establishments manu-
28 facturing or storing explosives or articles containing explo-
29 sive components.

30 2. Occupations of motor vehicle driver and helper.

31 3. Logging occupations and occupations in the operation of
32 any sawmill, lath mill, shingle mill, or cooperage-stock mill.

33 4. Occupations involved in the operation of power-driven
34 woodworking machines.

35 5. Occupations involving exposure to radioactive substances

- 1 and to ionizing radiations.
- 2 6. Occupations involved in the operation of elevators and
- 3 other power-driven hoisting apparatus.
- 4 7. Occupations involved in the operation of power-driven
- 5 metal forming, punching, and shearing machines.
- 6 8. Occupations in connection with mining.
- 7 9. Occupations in or about slaughtering and meat packing
- 8 establishments and rendering plants.
- 9 10. Occupations involved in the operation of certain power-
- 10 driven bakery machines.
- 11 11. Occupations involved in the operation of certain power-
- 12 driven paper products machines.
- 13 12. Occupations involved in the manufacture of brick, tile,
- 14 and related products.
- 15 13. Occupations involved in the operation of circular saws,
- 16 band saws, and guillotine shears.
- 17 14. Occupations involved in wrecking, demolition, and ship-
- 18 breaking operations.
- 19 15. Occupations involved in roofing operations.
- 20 16. Excavation occupations.
- 21 17. In or about foundries; provided that office, shipping,
- 22 and assembly area employment shall not be prohibited by this
- 23 Act.
- 24 18. Occupations involving the operation of laundry, dry
- 25 cleaning, or dyeing machinery.
- 26 19. Occupations involving exposure to lead fumes or its
- 27 compounds, or to dangerous or poisonous dyes or chemicals.
- 28 20. Occupations involving the transmission, distribution,
- 29 or delivery of goods or messages between the hours of ten
- 30 o'clock p.m. and five o'clock a.m.
- 31 21. Occupations deemed by the committee on child labor to
- 32 be hazardous to life or limb.
- 33 Sec. 10. The provisions of section eleven (11) of this Act
- 34 shall not apply to pupils working under an instructor in a man-
- 35 ual training department in the public schools of the state or

1 under an instructor in a school shop, or industrial plant, or
2 in a course of vocational education approved by the state board
3 for vocational education, or to apprentices provided they are
4 employed under all of the following conditions:

5 1. The apprentice is employed in a craft recognized as an
6 apprenticeable trade.

7 2. The work of the apprentice in the occupations declared
8 particularly hazardous is incidental to his training.

9 3. Such work is intermittent and for short periods of time
10 and is under the direct and close supervision of a journeyman
11 as a necessary part of such apprentice training.

12 4. The apprentice is registered by the bureau of apprentice-
13 ship and training of the United States department of labor as
14 employed in accordance with the standards established by that
15 department.

16 It shall be the duty of the committee on child labor, after
17 holding a public hearing, to issue rules and regulations more
18 specifically defining the occupations and equipment permitted
19 or prohibited herein, and to issue general or special orders
20 prohibiting any employment hazardous to life or limb.

21 Sec. 11. No person under sixteen years of age shall be em-
22 ployed or permitted to work with or without compensation unless
23 the person, firm, or corporation employing such persons pro-
24 cures and keeps on file accessible to any officer charged with
25 the enforcement of this Act, a work permit issued as hereinafter
26 provided, and keeps a complete list of the names and ages of all
27 such persons under sixteen years of age employed.

28 On the termination of employment of a person whose permit
29 is on file, such permit shall be returned by the employer within
30 five days to the officer who issued it with a statement of the
31 reasons for the termination of such employment. The issuing of-
32 ficer shall immediately forward to the commissioner of labor any
33 such terminated permits, or permits found to be issued in vio-
34 lation of the provisions of this Act. The permit shall be is-
35 sued only to the prospective employer.

1 Certificates of age shall be issued for persons sixteen and
2 seventeen years of age and for all other persons eighteen and
3 over upon request of the person's prospective employer.

4 Sec. 12. A work permit shall be issued only by the superin-
5 tendent of schools as provided in section three (3) of this Act,
6 or by a person authorized by him in writing, or, where there is
7 no superintendent of schools, by a person authorized in writing
8 by the local school board in the community where such child re-
9 sides, upon the application of the parent, guardian, or custo-
10 dian of the child desiring such permit. The person authorized
11 to issue work permits shall not issue any such permit unless he
12 has received, examined, approved, and filed:

13 1. A written agreement from the person, firm, or corporation
14 into whose service the child under sixteen years of age is about
15 to enter, promising to give such child employment, describing
16 the industry and the work to be performed and agreeing to return
17 the work permit of such child to the office from which it was
18 issued within five days after the termination of the employment
19 of such child.

20 2. Evidence of age showing that the child is fourteen years
21 old, or more, which shall consist of one of the following proofs
22 required in the order herein designated:

23 a. A certified copy of the birth certificate filed accord-
24 ing to law with a registrar of vital statistics or other officer
25 charged with the duty of recording births.

26 b. A passport or a certified copy of a certification of bap-
27 tism showing the date and place of birth and the place of bap-
28 tism of such child.

29 c. A school census record.

30 d. In cases where none of the above named proofs are ob-
31 tainable, a certificate, signed by the local medical inspector
32 of schools, or if there be no such inspector, then by a phy-
33 sician appointed by the local board of education, certifying
34 that in his opinion the applicant for the work permit is four-
35 teen years of age or more.

1 Every person, firm, or corporation employing migrant laborers
2 shall obtain and keep on file, accessible to any officer charged
3 with the enforcement of this Act, a work permit, prior to the
4 employment of such migratory laborer. Work permits for migrant
5 workers shall be issued by the superintendent of schools, or
6 his designee, nearest the temporary living quarters of the
7 family, or by the county director of social services or by the
8 Iowa employment service, upon application of the parent or head
9 of the migrant family. The person authorized to issue such per-
10 mits for migratory workers shall not issue such certificate
11 until he has received, examined, and approved one of the fol-
12 lowing as evidence of age: a birth certificate, passport, bap-
13 tism certificate, or school record. In addition to such cer-
14 tificate, applicants under fourteen years of age must obtain
15 a certificate from a registered nurse or physician stating
16 that the applicant for the work permit has reached the normal
17 development of a child of his age and is in sufficiently sound
18 health and physically able to perform the work for which the
19 permit is sought. The issuing officer shall then furnish the
20 applicant with a work permit showing the date of issuance, name,
21 sex, the date and place of birth, the permanent residence of
22 the child in whose name it is issued, the color of hair and eyes,
23 the height and weight, the proof of age, the school grade com-
24 pleted, the name and location of the establishment where the
25 child is to be employed, and specified occupation. One copy
26 shall be given to the employer to be kept on file for the length
27 of employment and upon termination of employment shall be re-
28 turned to the bureau of labor. One copy of the certificate
29 shall be kept by the issuing officer, and one copy forwarded
30 to the commissioner of labor, along with the certificate of
31 fitness of the persons under fourteen years of age. The blank
32 forms for the work permit for migratory workers shall be for-
33 mulated by the commissioner of labor and furnished by him to
34 the issuing officer.

35 The commissioner of labor or the issuing officer may refuse

1 to grant a certificate if, in his judgment, the best interests
2 of the minor would be served by such refusal and he shall keep
3 a record of such refusals, and the reasons therefor.

4 Sec. 13. Every work permit shall state the date of issuance,
5 name, sex, the date and place of birth, the residence of the
6 child in whose name it is issued, the color of hair and eyes,
7 the height and weight, the proof of age, the school grade com-
8 pleted, the name and location of the establishment where the
9 child is to be employed, the industry, specified occupation,
10 a brief description of duties for which the permit is issued,
11 that the papers required for its issuance have been duly exam-
12 ined, approved, and filed, and that the person named therein
13 has personally appeared before the officer issuing the permit
14 and has been examined.

15 Sec. 14. A duplicate of every such work permit issued shall
16 be filled out and forwarded to the office of the commissioner
17 of labor within one week after it is issued.

18 Sec. 15. The proper forms for the work permit, the employer's
19 agreement, the school record, certificate of age, and physi-
20 cian's certificate shall be formulated by the superintendent of
21 public instruction and furnished by him to the local school
22 authorities. The work permit for migratory labor shall be for-
23 mulated by the committee on child labor.

24 Sec. 16. Nothing in this Act shall be construed to prohibit:

25 1. Any part-time, occasional, or volunteer work for nonpro-
26 fit organizations generally recognized as educational, charitable,
27 religious, or community service in nature.

28 2. A child from working in or around the home after school
29 hours, provided such work is not related to or part of the bus-
30 iness, trade, or profession of the employer, except in an es-
31 tablishment of occupation when operated by his parents.

32 3. Part-time work in agriculture, not including migratory
33 labor.

34 Sec. 17. As used in this Act, the term "migratory labor"
35 shall include any person who customarily and repeatedly travels

1 from state to state for the purpose of obtaining seasonable
2 employment.

3 Sec. 18. No parent, guardian, or other person, having under
4 his control any person under eighteen years of age, shall will-
5 fully permit said person to work or be employed in violation of
6 the provisions of this Act.

7 No person shall willfully make, certify to, or cause to be
8 made or certified any statement, certificate, or other paper
9 for the purpose of procuring the employment of any person in
10 violation of this Act.

11 No person shall make, file, execute, or deliver any state-
12 ment, certificate, or other paper containing false statements
13 for the purpose of procuring employment of any person in viola-
14 tion of this Act.

15 No person, firm, or corporation, or any agent thereof shall
16 willfully conceal or permit a person to be employed in viola-
17 tion of this Act.

18 No person, firm, or corporation shall refuse to allow any
19 authorized persons to inspect the place of business or provide
20 information necessary to the enforcement of this Act.

21 Sec. 19. The parent, guardian, or person in charge of any
22 migratory worker or any child who shall engage in any street
23 occupation in violation of any of the provisions of this Act
24 shall be punished by a fine of not less than fifty dollars.

25 Any person who furnishes or sells to any minor child any
26 article of any description when he knows or should have known
27 that said minor intends to sell in violation of the provisions
28 of this Act, shall be punished by a fine of not less than fifty
29 dollars nor more than five hundred dollars.

30 Any other violations of this Act for which a penalty is not
31 specifically provided, shall be punishable by a fine of not
32 less than fifty dollars nor more than five hundred dollars or
33 by imprisonment in the county jail for not less than thirty
34 days nor more than one year or both. Every day during which
35 any violation of this Act continues shall constitute a separate

1 and distinct offense, and the employment of any person in vio-
2 lation of this Act shall, with respect to each person so em-
3 ployed, constitute a separate and distinct offense.

4 Sec. 20. There is hereby established a committee on child
5 labor. The committee shall consist of the labor commissioner
6 who shall act as chairman, the superintendent of public instruc-
7 tion or his designee, a representative of the Iowa employment
8 security commission selected by the commission, and two persons
9 representing the public and interested in child labor, to be
10 appointed by the governor, without regard to political affilia-
11 tion. The public representatives shall serve for a term of
12 four years from July 1, 1970, and until their successors are
13 appointed and qualify. The governor shall fill any public
14 member's vacancy for any unexpired term. Public members shall
15 receive additional compensation for service on this committee.

16 The committee shall adopt rules of procedure for its meet-
17 ings and activities.

18 It shall be the duty of the committee to hold public hear-
19 ings, to formulate rules and regulations more specifically
20 defining the occupations and equipment permitted or prohibited
21 herein, to determine occupations for which work permits shall
22 be required, and to issue general and special orders prohibit-
23 ing or allowing the employment of persons under eighteen years
24 of age in any place of employment hazardous to the health,
25 safety, and welfare of such persons as defined in this Act.

26 Sec. 21. It shall be the duty of the commissioner of labor,
27 his deputies, inspectors, and assistants, to enforce the provi-
28 sions of this Act. It shall also be the duty of all mayors and
29 police officers, town and city marshals, sheriffs, and their
30 deputies, school superintendents, school truant and attendance
31 officers, within their several jurisdictions, to cooperate in
32 the enforcement of such provisions and furnish the commissioner
33 of labor, his deputies and assistants all information coming
34 to their knowledge regarding any violations of such provisions.
35 All such officers and any person authorized in writing by any

1 court of record shall have authority to enter for purposes of
2 investigation any of the establishments and places mentioned
3 in this Act and to freely question any person therein as to
4 any violations of such provisions.

5 It shall be the duty of county attorneys to investigate all
6 complaints made to them of violations of any such provisions,
7 and to prosecute all such cases of violation within their re-
8 spective counties.

9 Sec. 22. This Act being deemed of immediate importance shall
10 be in full force and effect from and after its final approval
11 and publication in The Cedar Rapids Gazette, a newspaper pub-
12 lished at Cedar Rapids, Iowa, and in The Muscatine Journal,
13 a newspaper published at Muscatine, Iowa.

EXPLANATION

This bill provides for a comprehensive child labor law for the state. It is designed to protect persons under eighteen years of age from occupations which may be injurious to life and limb. The bill provides for the issuance of work permits as a prerequisite to obtaining a job in order to facilitate better control over child labor. The permits will be issued by local school officials. Enforcement is primarily the responsibility of the Bureau of Labor, with assistance from law enforcement agencies and local officials. A Committee on Child Labor is also established to promulgate rules and regulations declaring occupations to be safe or hazardous to life and limb.

HOUSE FILE 1251

- 1 Amend House File 1251 as follows:
- 2 1. Page one (1), line ten (10) strike "or in connection
- 3 with migratory labor,".
- 4 2. Page one (1), lines thirteen (13) and fourteen (14),
- 5 strike ", except that the" and insert ". The".
- 6 3. Page one (1), line nineteen (19), strike "in or".
- 7 4. Page two (2), line one (1), strike "he" and insert
- 8 "the worker".
- 9 5. Page two (2), lines two (2) and three (3), strike "as
- 10 described in section eleven (11) of this Act".
- 11 6. Page two (2), line five (5), strike "street trade" and
- 12 insert "work".
- 13 7. Page seven (7), strike lines sixteen (16) through
- 14 twenty (20).
- 15 8. Page seven (7), lines twenty-three (23) and twenty-four
- 16 (24), strike "procures and".
- 17 9. Page seven (7), strike lines twenty-eight (28) through
- 18 thirty-five (35).
- 19 10. Page eight (8), line four (4), after "permit" insert
- 20 ", except for migrant laborers".
- 21 11. Page eight (8), line five (5), strike "as provided in
- 22 section three (3) of this Act" and insert "or Iowa employment
- 23 service".
- 24 12. Page eight (8), line six (6), strike "him" and insert
- 25 "said superintendent".
- 26 13. Page eight (8), strike "in the community".
- 27 14. Page nine (9), line one (1), insert at the beginning of
- 28 the line "Sec. 13.".
- 29 15. Page nine (9), line three (3), insert before "work" the
- 30 word "special".
- 31 16. Page nine (9), line four (4), strike "work" and insert
- 32 "Special work".
- 33 17. Page nine (9), line seven (7), strike "services" and
- 34 insert "welfare".
- 35 18. Page nine (9), line ten (10), strike "certificate" and
- 36 insert "permit".
- 37 19. Page nine (9), lines thirteen (13) and fourteen (14),
- 38 strike "In addition to such certificate, applicants" and
- 39 insert "Applicants".
- 40 20. Page nine (9), strike lines nineteen (19) through
- 41 twenty-five (25) and insert "permit is sought. One copy of the
- 42 permit issued".
- 43 21. Page nine (9), line twenty-eight (28), strike "certifi-
- 44 cate" and insert "permit".
- 45 22. Page nine (9), line thirty-five (35), insert at the
- 46 beginning of the line "Sec. 14" and renumber the remaining
- 47 sections.
- 48 23. Page ten (10), line one (1), strike "certificate" and
- 49 insert "permit".
- 50 24. Page ten (10), lines thirty (30) and thirty-one (31),

Withdrawn 2-19

House 9

- 51 strike “, except in an establishment of occupation when operated
52 by his parents”.
53 25. Page eleven (11), line twenty-two (22), after “or”
54 insert “of”.
55 26. Page eleven (11), line thirty (30), strike “violations”
56 and insert “violation”.
57 27. Page twelve (12), line fifteen (15), strike “additional”
58 and insert at the end of the line after “committee” the words
59 “as shall be provided by the General Assembly”.
60 28. Page twelve (12), line nineteen (19), strike “and
61 regulations”.

Filed - *adapted 2-19*
February 18, 1970

KOCH of Woodbury
DRAKE of Louisa-Muscatine
WELDEN of Hardin
MOHRFELD of Tama

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- 1 Amend House File 1251, page 10, line 32, by
2 inserting after the word “agriculture,” the words
3 “ecology, or environmental preservation,”.

Offered from the floor and lost

February 19, 1970

WINKELMAN of Calhoun

In: Human and industrial relations

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- 1 Amend the Koch, et al., amendment to House File 1251, filed
2 February 18, 1970, by striking all of line 2 and 3.

Filed - *Withdrawn 2-19*
February 18, 1970

ROORDA of Jasper

In: Human and industrial relations

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- 1 Amend House File 1251, page 1, by striking all of lines
2 17 through 22.

Filed - *Lost 2-19*
February 18, 1970

ROORDA of Jasper

In: Human and industrial relations

-
- 1 Amend House File 1251 as follows:
2 1. By striking from page 1, line eight (8), the word
3 “ten” and inserting in lieu thereof the word “eleven”.
4 2. By striking from page 1, line sixteen (16), the word
5 “ten” and inserting in lieu thereof the word “eleven”.
6 3. By striking from page 1, line twenty-three (23), the
7 word “ten” and inserting in lieu thereof the word “eleven”.

Filed - *Withdrawn 2-19*
February 18, 1970

ROORDA of Jasper

In: Human and industrial relations

- Adopted 2-19*
- 1 Amend House File 1251 as follows:
 - 2 1. Page 5, by striking lines 8, 9, and 10.
 - 3 2. Page 10, by adding after line 33 the following
 - 4 subsection:
 - 5 "4. A child from working in any occupation or business
 - 6 operated by his parents."
 - 7 3. Page 12, by adding after line 25 the following
 - 8 paragraph:
 - 9 "No rule or regulation promulgated under this Act shall
 - 10 be more restrictive than any law or regulation on child labor
 - 11 by the United States government except that rules and
 - 12 regulations concerned with the migratory labor aspects of
 - 13 this Act may be more restrictive."

Filed - *adopted 2-19*

February 18, 1970

GRASSLEY of Butler

In: Human and industrial relations

- 1 Amend House File 1251 as follows:
- 2 1. Page three, by adding at the end of line twenty-seven (27)
- 3 a new subsection as follows:
- 4 "Sec. 11. Such other work as may be approved by the committee
- 5 on child labor established by Sec. 20 of this Act."
- 6 2. Page five by adding at the end of line ten (10) the following:
- 7 "Nothing in this section shall be construed as prohibiting office,
- 8 errand or packaging work when done away from moving machinery."
- 9 3. Page seven, by striking from lines twenty-three (23) and
- 10 twenty-four (24), the word "procures" and inserting in lieu thereof the
- 11 word "receives".

Filed - *adopted 2-19*

February 18, 1970

LIPSKY of Linn

In: Human and industrial relations

- 1 Amend House File 1251 as follows:
- 2 1. Page 5, line 14, by striking the word "ten"
- 3 and inserting in lieu thereof the word "seven".
- 4 2. Page 5, line 15, by striking the word "twelve"
- 5 and inserting in lieu thereof the word "nine".

Filed

February 18, 1970

DRAKE of Louisa-Muscatine

In: Human and industrial relations

1 Amend House File 1251 as follows:
2 1. Page 2, line 9, by striking the period and inserting
3 in lieu thereof the following: "; provided that nothing in
4 this chapter shall be construed to prohibit or restrict such
5 persons being employed or permitted to work without such work
6 permit in or in connection with the street occupations in cities
7 of less than ten thousand inhabitants; in any city of ten
8 thousand or more inhabitants such persons shall comply with the
9 requirements for the issuance of work permits as described in
10 this chapter except the filing of an employer's agreement, but
11 the school record so required shall certify only that the person
12 is regularly attending school and that the work in which he wishes
13 to engage will not interfere with his progress at school. Upon
14 compliance with these requirements such person shall be entitled
15 to receive from the officer authorized to issue work permits a
16 street-occupation permit or badge which shall authorize such
17 person to engage in the street occupations at such time or times
18 specified in the work permit between four o'clock a.m. and seven-
19 thirty o'clock p.m. each day as the public schools of the city
20 or district where such person resides are not in session, except
21 that during the summer-school vacation, such person may engage in
22 such occupation until the hour of eight-thirty o'clock p.m.
23 All such permits or badges issued in the same calendar year
24 shall be of the same color, which color shall be changed each year,
25 and shall become void upon the first day of January following their
26 issuance. The requirements for keeping a file of permits and
27 list of names and for returning permits provided for in Section 11
28 of this Act shall not apply to work in the street occupations as
29 defined in this section."

Filed - *Lost 2-19, Reconsidered and Adopted 2-19*

February 18, 1970

MOHRFELD of Tama

In: Human and industrial relations

1 Amend House File 1251, page 12, line 15, by
2 striking the words "additional compensation" and
3 inserting in lieu thereof the following: "thirty
4 dollars per diem plus expenses".

Filed - *Withdrawn 2-20*
February 17, 1970

MOHRFELD of Tama
CAFFREY of Polk
COCHRAN of Webster
DRAKE of Louisa-Muscatine
WEICHMAN of Benton

February 23, 1970

HOUSE FILE 1251

*See House Journal and Digest 2-25
Pass per amendment 3/13*

By COMMITTEE ON HUMAN AND
INDUSTRIAL RELATIONS
(AS AMENDED AND PASSED BY THE HOUSE)

Passed House, Date *2-20-70* Passed Senate, Date *3-19-70*

Vote: Ayes *101* Nays *14* Vote: Ayes *56* Nays *1*

Approved

*Passed per Conference Committee Report 4/3
aye 106, nay 3* **A BILL FOR**

*Conference Committee 3/24
Senators Rabenstein,
Mearns, Howard, and
Palmer
3/25 Representatives
Mohrfield, Lipsky,
Drake and Coffey*

1 An Act relating to child labor.
2 *Passed Senate per
Conference Committee
report 4/3 aye 57, nay 0* *Be It Enacted by the General Assembly of the State of Iowa:*
3 Section 1. Chapter ninety-two (92), Code 1966, as amended
4 by chapter one hundred sixteen (116), section one (1), Acts of
5 the Sixty-second General Assembly, is hereby repealed and the
6 following sections enacted in lieu thereof:

7 Sec. 2.

8 1. No person under ten years of age shall be employed or
9 permitted to work with or without compensation at any time
10 within this state in

11 street occupations of peddling, bootblacking, the distribution
12 or sale of newspapers, magazines, periodicals, or circulars,
13 nor in any other occupations in any street or public place,
14 The commissioner of labor shall, when ordered by
15 a judge of the juvenile court, issue a work permit as provided
16 in this Act to a person under ten years of age.

17 2. No person under twelve years of age shall be employed or
18 permitted to work with or without compensation at any time within
19 this state in connection with migratory labor, except that
20 the commissioner of labor may upon sufficient showing by a judge
21 of the juvenile court, issue a work permit as provided in this
22 Act to a person under twelve years of age.

23 Sec. 3. No person between ten and sixteen years of age shall
24 be employed or permitted to work with or without compensation
25 in connection with any of the occupations mentioned in section

1 two (2) of this Act unless the worker
2 complies with all the requirements
3 for the issuance of work permits.
4 Upon compliance with the requirements of
5 this Act, such person shall be entitled to receive from the
6 officer authorized to issue work permits, a work per-
7 mit which shall authorize such person to engage in the occupa-
8 tions set forth in section two (2) of this Act, at such time
9 or times specified in the work permit, between five o'clock
10 a.m. and seven thirty o'clock p.m., except nine o'clock
11 p.m. June first through Labor Day; provided that nothing
12 in this chapter shall be construed to prohibit or restrict
13 such persons being employed or permitted to work without such
14 work permit in or in connection with the street occupations
15 in cities of less than thirty thousand inhabitants; in
16 any city of thirty thousand or more inhabitants such persons
17 shall comply with the requirements for the issuance of work
18 permits as described in this chapter except the filing of
19 an employer's agreement, but the school record so required
20 shall certify only that the person is regularly attending
21 school and that the work in which he wishes to engage will
22 not interfere with his progress at school. Upon compliance
23 with these requirements such person shall be entitled to
24 receive from the officer authorized to issue work permits a
25 street-occupation permit or badge which shall authorize such
26 person to engage in the street occupations at such time or
27 times specified in the work permit between four o'clock a.m.
28 and seven-thirty o'clock p.m. each day as the public schools
29 of the city or district where such person resides are not
30 in session, except that during the summer-school vacation,
31 such person may engage in such occupation until the hour
32 of eight-thirty o'clock p.m.

33 All such permits or badges issued in the same calendar
34 year shall be of the same color, which color shall be
35 changed each year, and shall become void upon the first

1 of January following their issuance. The requirements
2 for keeping a file of permits and list of names and for
3 returning permits provided for in Section 11 of this Act
4 shall not apply to work in the street occupations as defined
5 in Section 2 of this Act.

6 Sec. 4. No person under fourteen years of age shall be em-
7 ployed or permitted to work with or without compensation in any
8 occupation, except in the street trade occupations or migratory
9 labor occupations specified in section two (2) of this Act.

10 Any migratory laborer twelve to fourteen years of age may not
11 work prior to or during the regular school hours of any day of
12 any private or public school which teaches general education
13 subjects and which is available to such child.

14 Sec. 5. No person under sixteen years of age shall be em-
15 ployed or permitted to work with or without compensation in any
16 occupation during regular school hours, except:

17 1. Those persons legally out of school, and such status is
18 verified by the submission of written proof to the commissioner
19 of labor.

20 2. Those persons working in a supervised school-work pro-
21 gram.

22 3. Those persons between the ages of fourteen and sixteen
23 enrolled in school on a part-time basis and who are required to
24 work as a part of their school training.

25 4. Fourteen and fifteen year old migrant laborers during
26 any hours when summer school is in session.

27 Sec. 6. Persons fourteen and fifteen years of age may be
28 employed or permitted to work in the following occupations:

29 1. Retail, food service, and gasoline service establishments.

30 2. Office and clerical work, including operation of office
31 machines.

32 3. Cashiering, selling, modeling, art work, work in adver-
33 tising departments, window trimming and comparative shopping.

34 4. Price marking and tagging by hand or by machine, assem-
35 bling orders, packing and shelving.

- 1 5. Bagging and carrying out customers' orders.
- 2 6. Errand and delivery work by foot, bicycle, and public
3 transportation.
- 4 7. Clean-up work, including the use of vacuum cleaners and
5 floor waxers, and maintenance of grounds.
- 6 8. Kitchen work and other work involved in preparing and
7 serving food and beverages, including the operation of machines
8 and devices used in the performance of such work, including but
9 not limited to, dishwashers, toasters, dumbwaiters, popcorn
10 poppers, milk shake blenders, and coffee grinders.
- 11 9. Work in connection with motor vehicles and trucks if
12 confined to the following:
 - 13 a. Dispensing gasoline and oil.
 - 14 b. Courtesy service.
 - 15 c. Car cleaning, washing and polishing.
- 16 Nothing in this subsection shall be construed to include work
17 involving the use of pits, racks or lifting apparatus or involv-
18 ing the inflation of any tire mounted on a rim equipped with
19 a removable retaining ring.
- 20 10. Cleaning vegetables and fruits, and wrapping, sealing,
21 labeling, weighing, pricing and stocking goods when performed
22 in areas physically separate from areas where meat is prepared,
23 for sale and outside freezers or meat coolers.
- 24 11. **Such other work as may be approved by the committee**
25 **on child labor established by Section 22 of this Act.**
- 26 Sec. 7. Persons fourteen and fifteen years of age may not
27 be employed in:
 - 28 1. Any manufacturing occupation.
 - 29 2. Any mining occupation.
 - 30 3. Processing occupations, except in a retail, food service,
31 or gasoline service establishment in those specific occupations
32 expressly permitted under the provisions of section six (6) of
33 this Act.

1 4. Occupations requiring the performance of any duties in
2 workrooms or work places where goods are manufactured, mined,
3 or otherwise processed, except to the extent expressly permitted
4 in retail, food service, or gasoline service establishments un-
5 der the provisions of section six (6) of this Act.

6 5. Public messenger service.

7 6. Operation or tending of hoisting apparatus or of any
8 power-driven machinery, other than office machines and machines
9 in retail, food service, and gasoline service establishments
10 which are specified in section six (6) of this Act as machines
11 which such minors may operate in such establishments.

12 7. Any occupations found and declared to be hazardous by
13 the committee on child labor.

14 8. Occupations in connection with the following, except of-
15 fice or sales work in connection with these occupations, not
16 performed on transportation media or at the actual construction
17 site:

18 a. Transportation of persons or property by rail, highway,
19 air, on water, pipeline, or other means.

20 b. Warehousing and storage.

21 c. Communications and public utilities.

22 d. Construction, including repair.

23 9. Any of the following occupations in a retail, food ser-
24 vice, or gasoline service establishment:

25 a. Work performed in or about boiler or engine rooms.

26 b. Work in connection with maintenance or repair of the
27 establishment, machines or equipment.

28 c. Outside window washing that involves working from win-
29 dowsills, and all work requiring the use of ladders, scaffolds
30 or their substitutes.

31 d. Cooking, except at soda fountains, lunch counters, snack
32 bars, or cafeteria serving counters, and baking.

33 e. Occupations which involve operating, setting up, adjust-
34 ing, cleaning, oiling, or repairing power-driven food slicers
35 and grinders, food choppers and cutters, and bakery-type mixers.

1 f. Work in freezers and meat coolers and all work in prepar-
2 ation of meats for sale, except wrapping, sealing, labeling,
3 weighing, pricing and stocking when performed in other areas,
4 g. Loading and unloading goods to and from trucks, railroad
5 cars and conveyors.

6 h. All occupations in warehouses except office and clerical
7 work.

8 **Nothing in this section shall be construed as prohibiting**
9 **office, errand or packaging work when done away from moving**
10 **machinery.**

11 Sec. 8. No person under sixteen years of age shall be em-
12 ployed with or without compensation except as provided in sec-
13 tion four (4) of this Act before the hour of seven o'clock a.m.
14 or after seven o'clock p.m., except during the period from June
15 first through Labor Day when the hours may be extended to **nine**
16 o'clock p.m. If such person is employed for a period of five
17 hours or more each day, an intermission of not less than thirty
18 minutes shall be given. No such person shall be employed for
19 more than eight hours in one day, exclusive of intermission,
20 nor shall such person be employed for more than forty hours in
21 one week. The hours of work of persons under sixteen years of
22 age employed outside school hours shall not exceed four in one
23 day or twenty-eight in one week while school is in session.

24 Sec. 9. No person under eighteen years of age shall be em-
25 ployed or permitted to work with or without compensation at any
26 of the following occupations or business establishments:

27 1. Occupations in or about plants or establishments manu-
28 facturing or storing explosives or articles containing explo-
29 sive components.

30 2. Occupations of motor vehicle driver and helper.

31 3. Logging occupations and occupations in the operation of
32 any sawmill, lath mill, shingle mill, or cooperage-stock mill.

33 4. Occupations involved in the operation of power-driven
34 woodworking machines.

35 5. Occupations involving exposure to radioactive substances

1 and to ionizing radiations.

2 6. Occupations involved in the operation of elevators and
3 other power-driven hoisting apparatus.

4 7. Occupations involved in the operation of power-driven
5 metal forming, punching, and shearing machines.

6 8. Occupations in connection with mining.

7 9. Occupations in or about slaughtering and meat packing
8 establishments and rendering plants.

9 10. Occupations involved in the operation of certain power-
10 driven bakery machines.

11 11. Occupations involved in the operation of certain power-
12 driven paper products machines.

13 12. Occupations involved in the manufacture of brick, tile,
14 and related products.

15 13. Occupations involved in the operation of circular saws,
16 band saws, and guillotine shears.

17 14. Occupations involved in wrecking, demolition, and ship-
18 breaking operations.

19 15. Occupations involved in roofing operations.

20 16. Excavation occupations.

21 17. In or about foundries; provided that office, shipping,
22 and assembly area employment shall not be prohibited by this
23 Act.

24 18. Occupations involving the operation of laundry, dry
25 cleaning, or dyeing machinery.

26 19. Occupations involving exposure to lead fumes or its
27 compounds, or to dangerous or poisonous dyes or chemicals.

28 20. Occupations involving the transmission, distribution,
29 or delivery of goods or messages between the hours of ten
30 o'clock p.m. and five o'clock a.m.

31 21. Occupations deemed by the committee on child labor to
32 be hazardous to life or limb.

33 Sec. 10. The provisions of section eleven (11) of this Act
34 shall not apply to pupils working under an instructor in a man-
35 ual training department in the public schools of the state or

1 under an instructor in a school shop, or industrial plant, or
2 in a course of vocational education approved by the state board
3 for vocational education, or to apprentices provided they are
4 employed under all of the following conditions:

5 1. The apprentice is employed in a craft recognized as an
6 apprenticeable trade.

7 2. The work of the apprentice in the occupations declared
8 particularly hazardous is incidental to his training.

9 3. Such work is intermittent and for short periods of time
10 and is under the direct and close supervision of a journeyman
11 as a necessary part of such apprentice training.

12 4. The apprentice is registered by the bureau of apprentice-
13 ship and training of the United States department of labor as
14 employed in accordance with the standards established by that
15 department.

16 Sec. 11. No person under sixteen years of age shall be em-
17 ployed or permitted to work with or without compensation unless
18 the person, firm, or corporation employing such persons re-
19 ceives and keeps on file accessible to any officer charged with
20 the enforcement of this Act, a work permit issued as hereinafter
21 provided, and keeps a complete list of the names and ages of all
22 such persons under sixteen years of age employed.

23 Certificates of age shall be issued for persons sixteen and
24 seventeen years of age and for all other persons eighteen and
25 over upon request of the person's prospective employer.

26 Sec. 12. A work permit, **except for migrant laborers,**
27 shall be issued only by the superin-
28 tendent of schools or **Iowa employment service,**
29 or by a person authorized by
30 said superintendent
31 in writing, or, where there is
32 no superintendent of schools, by a person authorized in writing
33 by the local school board where such child re-
34 sides, upon the application of the parent, guardian, or custo-
35 dian of the child desiring such permit. The person authorized

1 to issue work permits shall not issue any such permit unless he
2 has received, examined, approved, and filed:

3 1. A written agreement from the person, firm, or corporation
4 into whose service the child under sixteen years of age is about
5 to enter, promising to give such child employment, describing
6 the industry and the work to be performed.

7 2. Evidence of age showing that the child is fourteen years
8 old, or more, which shall consist of one of the following proofs
9 required in the order herein designated:

10 a. A certified copy of the birth certificate filed accord-
11 ing to law with a registrar of vital statistics or other officer
12 charged with the duty of recording births.

13 b. A passport or a certified copy of a certificate of bap-
14 tism showing the date and place of birth and the place of bap-
15 tism of such child.

16 c. A school census record.

17 d. In cases where none of the above named proofs are ob-
18 tainable, a certificate, signed by the local medical inspector
19 of schools, or if there be no such inspector, then by a phy-
20 sician appointed by the local board of education, certifying
21 that in his opinion the applicant for the work permit is four-
22 teen years of age or more.

23 **Sec. 13.** Every person, firm, or corporation employing migrant
24 laborers shall obtain and keep on file, accessible to any officer charged
25 with the enforcement of this Act, a special work permit, prior to the
26 employment of such migratory laborer. **Special work**
27 permits for migrant

28 workers shall be issued by the superintendent of schools, or
29 his designee, nearest the temporary living quarters of the
30 family, or by the county director of social welfare or by the
31 Iowa employment service, upon application of the parent or head
32 of the migrant family. The person authorized to issue such per-
33 mits for migratory workers shall not issue such permit
34 until he has received, examined, and approved one of the fol-
35 lowing as evidence of age: a birth certificate, passport, bap-

1 tism certificate, or school record. **Applicants**
2 under fourteen years of age must obtain
3 a certificate from a registered nurse or physician stating
4 that the applicant for the work permit has reached the normal
5 development of a child of his age and is in sufficiently sound
6 health and physically able to perform the work for which the
7 permit is sought. **One copy of the permit issued**
8 shall be given to the employer to be kept on file for the length
9 of employment and upon termination of employment shall be re-
10 turned to the bureau of labor. **One copy of the permit**
11 shall be kept by the issuing officer, and one copy forwarded
12 to the commissioner of labor, along with the certificate of
13 fitness of the persons under fourteen years of age. The blank
14 forms for the work permit for migratory workers shall be for-
15 mulated by the commissioner of labor and furnished by him to
16 the issuing officer.

17 **Sec. 14.** The commissioner of labor or the issuing officer may refuse
18 to grant a **permit** if, in his judgment, the best interests
19 of the minor would be served by such refusal and he shall keep
20 a record of such refusals, and the reasons therefor.

21 **Sec. 15.** Every work permit shall state the date of issuance,
22 name, sex, the date and place of birth, the residence of the
23 child in whose name it is issued, the color of hair and eyes,
24 the height and weight, the proof of age, the school grade com-
25 pleted, the name and location of the establishment where the
26 child is to be employed, the industry, specified occupation,
27 a **brief description** of duties for which the permit is issued,
28 that the papers required for its issuance have been duly exam-
29 ined, approved, and filed, and that the person named therein
30 has personally appeared before the officer issuing the permit
31 and has been examined.

32 **Sec. 16.** A duplicate of every such work permit issued shall
33 be filled out and forwarded to the office of the commissioner
34 of labor within one week after it is issued.

35 **Sec. 17.** The proper forms for the work permit, the employer's

1 agreement, the school record, certificate of age, and the physi-
2 cian's certificate shall be formulated by the committee on
3 child labor and shall be furnished by the bureau of labor to
4 the issuing authorities.

5 Sec. 18. Nothing in this Act shall be construed to prohibit:

6 1. Any part-time, occasional, or volunteer work for nonpro-
7 fit organizations generally recognized as educational, charitable,
8 religious, or community service in nature.

9 2. A child from working in or around the home after school
10 hours, provided such work is not related to or part of the bus-
11 iness, trade, or profession of the employer.

12 3. Part-time work in agriculture, not including migratory
13 labor.

14 4. A child from working in any occupation or business
15 operated by his parents.

16 Sec. 19. As used in this Act, the term "migratory labor"
17 shall include any person who customarily and repeatedly travels
18 from state to state for the purpose of obtaining seasonable
19 employment.

20 Sec. 20. No parent, guardian, or other person, having under
21 his control any person under eighteen years of age, shall will-
22 fully permit said person to work or be employed in violation of
23 the provisions of this Act.

24 No person shall willfully make, certify to, or cause to be
25 made or certified any statement, certificate, or other paper
26 for the purpose of procuring the employment of any person in
27 violation of this Act.

28 No person shall make, file, execute, or deliver any state-
29 ment, certificate, or other paper containing false statements
30 for the purpose of procuring employment of any person in viola-
31 tion of this Act.

32 No person, firm, or corporation, or any agent thereof shall
33 willfully conceal or permit a person to be employed in viola-
34 tion of this Act.

35 No person, firm, or corporation shall refuse to allow any

1 authorized persons to inspect the place of business or provide
2 information necessary to the enforcement of this Act.

3 Sec. 21. The parent, guardian, or person in charge of any
4 migratory worker or of
5 any child who shall engage in any street
6 occupation in violation of any of the provisions of this Act
7 shall be punished by a fine of not less than fifty dollars.

8 Any person who furnishes or sells to any minor child any
9 article of any description when he knows or should have known
10 that said minor intends to sell in violation of the provisions
11 of this Act, shall be punished by a fine of not less than twenty
12 dollars nor more than one hundred dollars.

13 Any other violation of this Act for which a penalty is not
14 specifically provided, shall be punishable by a fine of not
15 less than twenty dollars nor more than one hundred dollars.
16 Every day during which
17 any violation of this Act continues shall constitute a separate
18 and distinct offense, and the employment of any person in vio-
19 lation of this Act shall, with respect to each person so em-
20 ployed, constitute a separate and distinct offense.

21 Sec. 22. There is hereby established a committee on child
22 labor. The committee shall consist of the labor commissioner
23 who shall act as chairman, the superintendent of public instruc-
24 tion or his designee, a representative of the Iowa employment
25 security commission selected by the commission, and two persons
26 representing the public and interested in child labor, to be
27 appointed by the governor, without regard to political affilia-
28 tion. The public representatives shall serve for a term of
29 four years from July 1, 1970, and until their successors are
30 appointed and qualify. The governor shall fill any public
31 member's vacancy for any unexpired term. Public members shall
32 receive compensation for service on this committee
33 as shall be provided by the General Assembly.

34 The committee shall adopt rules of procedure for its meet-
35 ings and activities.

1 It shall be the duty of the committee to hold public hear-
2 ings, to formulate rules more specifically
3 defining the occupations and equipment permitted or prohibited
4 herein, to determine occupations for which work permits shall
5 be required, and to issue general and special orders prohibit-
6 ing or allowing the employment of persons under eighteen years
7 of age in any place of employment hazardous to the health,
8 safety, and welfare of such persons as defined in this Act.

9 No rule or regulation promulgated under this Act shall be
10 more restrictive than any law or regulation on child labor
11 by the United States government except that rules and
12 regulations concerned with the migratory labor aspects of
13 this Act may be more restrictive.

14 Sec. 23. It shall be the duty of the commissioner of labor,
15 his deputies, inspectors, and assistants, to enforce the provi-
16 sions of this Act. It shall also be the duty of all mayors and
17 police officers, town and city marshals, sheriffs, and their
18 deputies, school superintendents, school truant and attendance
19 officers, within their several jurisdictions, to cooperate in
20 the enforcement of such provisions and furnish the commissioner
21 of labor, his deputies and assistants all information coming
22 to their knowledge regarding any violations of such provisions.
23 All such officers and any person authorized in writing by any
24 court of record shall have authority to enter for purpose of
25 investigation any of the establishments and places mentioned
26 in this Act and to freely question any person therein as to
27 any violations of such provisions.

28 It shall be the duty of county attorneys to investigate all
29 complaints made to them of violations of any such provisions,
30 and to prosecute all such cases of violation within their re-
31 spective counties.

32 Sec. 24. This Act being deemed of immediate importance shall
33 be in full force and effect from and after its final approval
34 and publication in The Cedar Rapids Gazette, a newspaper pub-
35 lished at Cedar Rapids, Iowa, and in The Muscatine Journal,

1 a newspaper published at Muscatine, Iowa.

EXPLANATION

This bill provides for a comprehensive child labor law for the state. It is designed to protect persons under eighteen years of age from occupations which may be injurious to life and limb. The bill provides for the issuance of work permits as a prerequisite to obtaining a job in order to facilitate better control over child labor. The permits will be issued by local school officials. Enforcement is primarily the responsibility of the Bureau of Labor, with assistance from law enforcement agencies and local officials. A Committee on Child Labor is also established to promulgate rules and regulations declaring occupations to be safe or hazardous to life and limb.

FISCAL NOTE

Date prepared March 16, 1970

Requested by Senator Rabedaux.

Prepared in regard to House File 1251 as amended and passed by House, a bill for an act relating to child labor.

Following is the fiscal effect in dollars of the legislative proposal as required by Rule 31:

	Estimated Total Cost	Estimated Present Cost	Estimated Cost Requirement
1st year	\$45,000	\$15,000	\$30,000
2nd year	70,000	15,000	55,000
3rd year	70,000	15,000	55,000
4th year	70,000	15,000	55,000
5th year	70,000	15,000	55,000

Note 1: The cost of administering the present law is approximately \$15,000 annually.

Note 2: The additional cost requirement in the first year would allow for two inspectors, one secretary, and field travel expenses of the inspectors.

Note 3: The additional cost requirement in the second through fifth years would allow for two inspectors, (bringing the total to four) and field travel expenses of the inspectors .

GERRY D. RANKIN
Legislature Fiscal Director

- 1 Amend House File 1251, page 12, line 7, by striking the
- 2 word "fifty" and inserting in lieu thereof the words "twenty
- 3 dollars nor more than fifty".

Filed - *Adopted 3/18*
March 11, 1970

By POTGETER

- 1 Amend House File 1251, as passed by the
- 2 House and reprinted, page 3, lines 2 and 3, by
- 3 striking the words "and for returning permits
- 4 provided for in section 11 of this Act".

Filed - *Adopted as amended 3/18*
March 13, 1970

By COMMITTEE ON HUMAN AND
INDUSTRIAL RELATIONS

- 1 Amend House File 1251, as passed by the House and
- 2 reprinted, as follows:
- 3 1. Page 1, line 17, by striking the word "twelve" and
- 4 inserting in lieu thereof the word "ten".
- 5 2. Page 1, line 22, by striking the word "twelve" and
- 6 inserting in lieu thereof the word "ten".

Filed - *Lost 3/18*
March 16, 1970

By RABEDEAUX

- 1 Amend House File 1251, as amended and passed by the House,
- 2 as follows:
- 3 Division 1
- 4 1. By striking in line 22, on page 6, the word "four" and
- 5 by inserting in lieu thereof the word "three".
- 6 2. By striking in line 23 on page 6, the word "twenty-
- 7 eight" and by inserting in lieu thereof the word "eighteen".
- 8 Division 2
- 9 3. By striking in line 7, on page 12, the word "fifty"
- 10 and by inserting in lieu thereof the words "one hundred".
- 11 4. By striking in line 11, on page 12 the word "twenty"
- 12 and by inserting in lieu thereof the word "fifty".
- 13 5. By striking in line 12 on page 12, the word "one" and
- 14 by inserting in lieu thereof the word "five".
- 15 6. By striking in line 15 on page 12, the word "twenty"
- 16 and by inserting in lieu thereof the word "fifty".
- 17 7. By striking in line 15 on page 12, the word "one" and
- by inserting in lieu thereof the word "five".
- Division 3
- 20 8. By striking lines 9 through 13 inclusive on page 13.

Filed, division 1 and 2 lost
division 3 adopted
March 18, 1970

By GAUDINEER

1 Amend House File 1251, as passed by the House and
2 reprinted, as follows:

3 1. Page 1, line 14, by striking the words "commissioner
4 of labor" and inserting in lieu thereof the words "labor
5 commissioner".

*Adopted
3/18*

6 2. Page 1, line 20, by striking the words "commissioner
7 of labor" and inserting in lieu thereof the words "labor
8 commissioner".

9 3. Page 3, line 3, by striking the word and figure
10 "Section 11" and inserting in lieu thereof the words and
11 figure "section eleven (11)".

*Adopted
3/18*

12 4. Page 3, line 5, by striking the word and figure
13 "Section 2" and inserting in lieu thereof the words and
14 figure "section two (2)".

15 5. Page 3, lines 18 and 19, by striking the words
16 "commissioner of labor" and inserting in lieu thereof the
17 words "labor commissioner".

*Adopted
3/18*

18 6. Page 4, line 25, by striking the word and figure
19 "Section 22" and inserting in lieu thereof the words and
20 figure "section twenty-two (22)".

*Adopted
3/18*

21 7. Page 8, line 2, by striking the word "state".

22 8. Page 8, line 28, by striking the words "employment
23 service" and inserting in lieu thereof the words "state
24 employment service division".

25 9. Page 9, line 31, by striking the words "employment
26 service" and inserting in lieu thereof the words "state
27 employment service division".

*Adopted
3/18*

*Adopted
3/18*

28 10. Page 10, line 10, by striking the words "bureau of
29 labor" and inserting in lieu thereof the words "labor
30 commissioner".

31 11. Page 10, line 12, by striking the words "of labor".

32 12. Page 10, line 15, by striking the words "of labor".

33 13. Page 10, line 17, by striking the words "commissioner
34 of labor" and inserting in lieu thereof the words "labor
35 commissioner".

36 14. Page 10, lines 33 and 34, by striking the words
37 "commissioner of labor" and inserting in lieu thereof the
38 words "labor commissioner".

39 15. Page 11, line 3, by striking the words "bureau of
40 labor" and inserting in lieu thereof the words "labor
41 commissioner".

*Adopted
3/18*

42 16. Page 13, line 14, by striking the words "commissioner
43 of labor" and inserting in lieu thereof the words "labor
44 commissioner".

45 17. Page 13, line 21, by striking the words "of labor".

Filed - *Adopted 3/18*
March 16, 1970

By RABEDEAUX

- 1 Amend House File 1251, as passed by the House and
2 reprinted, page 1, as follows:
3 1. Line 8, by striking the word "ten" and inserting
4 in lieu thereof the word "twelve".
5 2. Line 16, by striking the word "ten" and insert-
6 ing in lieu thereof the word "twelve".
7 3. Line 23, by striking the word "ten" and insert-
8 ing in lieu thereof the word "twelve".

Filed and lost
March 18, 1970

By WALSH, DODERER and SCHABEN

- 1 Amend the committee on human and industrial rela-
2 tions amendment to House File 1251, filed March 13, 1970, by
3 striking line 4 and inserting at the end of line 3 a quo-
4 tation mark and a period.

Filed and adopted
March 18, 1970

By LUCKEN

- 1 Amend House File 1251, as amended and passed by
2 the House, by inserting in page 3, in line 5 after the
3 word, "in" the words, "subsection 1 of".

Filed - *adopted 3/19*
March 18, 1970

By GAUDINEER

- 1 Amend House File 1251, as amended, passed and reprinted by
2 the House, page 2, line 28, by striking the word "as".

Filed and adopted
March 18, 1970

By RIGLER

- 1 Amend House File 1251 as follows:
2 1. Page 2, line 11, by striking the words "provided
3 that nothing", by striking all of lines 12, 13, and 14,
4 by striking on line 15 all except the word "in"
5 following the semi-colon (;), and on line 16 by striking
6 the words "of thirty thousand or more inhabitants".

Filed and adopted, *reconsidered and lost 3/19*
March 18, 1970

By GLENN

- 1 Amend House File 1251, as passed by the House, by striking
2 lines 9, 10 and 11 on page 11 and inserting in lieu thereof
3 the following:
4 "2. A child from working in or around any home before or
5 after school hours or during vacation periods, provided such
6 work is not related to or part of the business, trade, or pro-
7 fession of the employer."

Filed and adopted
March 18, 1970

By BROWNLEE, RABEDEAUX, DeKOSTER,
ERSKINE and RIGLER

- 1 Amend House File 1251, as passed by the House, as
2 follows:
3 1. Page 11, line 10, by inserting after the ","
4 the following words: "or during vacation periods".

Filed and withdrawn
March 18, 1970

By ERSKINE

- 1 Amend House File 1251, as passed by the House, by striking
- 2 on page 11, lines 9 and 10, the words "after school hours".

Filed and withdrawn

March 18, 1970

By RIGLER

- 1 Amend House File 1251, as amended and passed by the
- 2 House and reprinted, page 13, by adding after line
- 3 31 the following new section and renumbering the
- 4 subsequent section:
- 5 "Anyone subject to this Act employed in the
- 6 street trades who sells or delivers the product or
- 7 service of another, shall be an employee of such
- 8 person whose product or service is sold or delivered,
- 9 and shall not have the legal capacity to become an
- 10 independent contractor."

Filed - *Last 3/19*
March 18, 1970

By REICHARDT

- 1 Amend House File 1251 as passed by the House as follows:
- 2 On page 11, lines 9 and 10, by striking the words "the
- 3 home after school hours" and by inserting in lieu thereof
- 4 the words "a home before or after school hours".

Filed and withdrawn

March 18, 1970

By DeKOSTER

- 1 Amend House File 1251 as follows:
- 2 1. Page five (5), line twenty-two (22), add after the word
- 3 "repair" the words "except on buildings that do not exceed two
- 4 stories in height and farm buildings".
- 5 2. Page seven (7), line nineteen (19), add after the word
- 6 "operations" the words "except on buildings that do not exceed
- 7 two stories in height and farm buildings".

Filed, divisions 1 and 2 adopted
March 18, 1970

By MESSERLY and STEPHENS

- 1 Amend House File 1251 by inserting a new subsection on
- 2 page 11 after line 15 as follows:
- 3 "5. A child 12 years of age or older from working in
- 4 the yard or grounds of a residence within one mile of his
- 5 home."

Filed and withdrawn
March 18, 1970

By BROWNLEE

- 1 Amend the Brownlee amendment filed March 18, 1970,
- 2 to House File 1251 by striking in line 4 the words
- 3 "within one mile of his home".

Filed and adopted
March 18, 1970

By FROMMELT

- 1 Amend the Reichardt amendment of March 19, 1970, line 5,
- 2 by adding after the word "Anyone" the words:
- 3 "under the age of nineteen and".

Filed and adopted
March 19, 1970

By DeKOSTER

1 Amend House File 1251, as amended, passed and reprinted by the
House,

2 as follows:

3 1. Page 2, line 15, by striking the words "of less than thirty
4 thousand inhabitants;"; and inserting in lieu thereof the
5 following: "and towns of less than ten thousand population and in
6 areas outside the corporate limits of any city or town;".

7 2. Page 2, line 16, by striking the word "thirty" and inserting
8 in lieu thereof "ten".

Filed - *adopted 3/19*
March 19, 1970

By WALSH

1 Amend House File 1251, as amended and passed by the
2 House and reprinted, page 13, by adding after line
3 31 the following new section and renumbering the
4 subsequent sections:

5 "Anyone subject to this Act employed in the
6 street trades who sells or delivers the product of
7 service of another and who is designated in such
8 capacity as an independent contractor shall be pro-
9 vided with the reasonable and necessary cost of all
10 medical, hospital, nursing and doctor expenses
11 incurred as the result of injuries sustained arising
12 out of and in the course of selling or delivering
13 such product or service by the person, firm or
14 corporation whose product or service is so delivered."

Filed, amended and adopted
March 19, 1970

By REICHARDT

CONFERENCE COMMITTEE REPORT ON HOUSE FILE 1251

To the President of the Senate and the Speaker of the House of
Representatives:

We, the undersigned members of the conference committee appointed to
consider the difference between the Senate and the House of Representa-
tives on House File 1251, a bill for an Act relating to child labor, respect-
fully submit the following recommendations:

1. That the Senate recede from Divisions 11 and 12 of its amendment.
2. That the House concur in Divisions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14,
15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 of the Senate amendment.
3. That Division 27 of the Senate amendment be amended by striking
in line 78 of the printed amendment the words "with the reasonable and
necessary cost of all" and inserting in lieu thereof the following: "partici-
pation, if he desires it at group rate cost, in group insurance for".

On the part of the Senate:
W. R. RABEDEAUX, Chairman
FRANCIS L. MESSERLY
HAROLD A. THORDSON
WILLIAM D. PALMER

On the part of the House:
FRED MOHRFELD, Chairman
JOAN LIPSKY
RICHARD F. DRAKE
JAMES T. CAFFREY

Filed
April 2, 1970

*House adopted
4/3
Senate adopted
4/3*

House 2

SENATE AMENDMENT TO HOUSE FILE 1251

- 1 Amend House File 1251 as amended, passed and reprinted by
- 2 the House, as follows:
- 3 1. Page 1, line 14, by striking the words "commissioner of
- 4 labor" and inserting in lieu thereof the words "labor
- 5 commissioner".
- 6 2. Page 1, line 20, by striking the words "commissioner of
- 7 labor" and inserting in lieu thereof the words "labor
- 8 commissioner".
- 9 3. Page 2, line 15, by striking the words "of less than
- 10 thirty thousand inhabitants;" and inserting in lieu thereof
- 11 the following: "and towns of less than ten thousand population
- 12 and in areas outside the corporate limits of any city or
- 13 town;".
- 14 4. Page 2, line 16, by striking the word "thirty" and insert-
- 15 ing in lieu thereof "ten".
- 16 5. Page 2, line 28, by striking the word "as".
- 17 6. Page 3, lines 2 and 3, by striking the words "and for
- 18 returning permits".
- 19 7. Page 3, line 3, by striking the word and figure "Section 11"
- 20 and inserting in lieu thereof the following: "section
- 21 eleven (11)".
- 22 8. Page 3, line 5, by striking the word and figure "Section 2"
- 23 and inserting in lieu thereof the following: "subsection
- 24 one (1) of section two (2)".
- 25 9. Page 3, lines 18 and 19, by striking the words "commissioner
- 26 of labor" and inserting in lieu thereof the words "labor
- 27 commissioner".
- 28 10. Page 4, line 25, by striking the word and figure "Section 22"
- 29 and inserting in lieu thereof the following: "section
- 30 twenty-two (22)".
- 31 11. Page 5, line 22, by adding after the word "repair"
- 32 the following: "except on buildings that do not exceed
- 33 two stories in height and farm buildings".
- 34 12. Page 7, line 19, by adding after the word "operations"
- 35 the following: "except on buildings that do not exceed
- 36 two stories in height and farm buildings".
- 37 13. Page 8, line 2, by striking the word "state".
- 38 14. Page 8, line 28, by striking the words "employment
- 39 service" and inserting in lieu thereof the words "state
- 40 employment service division".
- 41 15. Page 9, line 31, by striking the words "employment
- 42 service" and inserting in lieu thereof the words "state
- 43 employment service division".
- 44 16. Page 10, line 10, by striking the words "bureau of
- 45 labor" and inserting in lieu thereof the words "labor
- 46 commissioner".
- 47 17. Page 10, line 12, by striking the words "of labor".
- 48 18. Page 10, line 15, by striking the words "of labor".
- 49 19. Page 10, line 17, by striking the words "commissioner
- 50 of labor" and inserting in lieu thereof the words "labor

*House referred
to committee 3/23
Senate invited
3/24*

House 3

51 commissioner”.

52 20. Page 10, lines 33 and 34, by striking the words
53 “commissioner of labor” and inserting in lieu thereof the
54 words “labor commissioner”.

55 21. Page 11, line 3, by striking the words “bureau of
56 labor” and inserting in lieu thereof the words “labor
57 commissioner”.

58 22. Page 11, by striking lines 9, 10 and 11, and inserting
59 in lieu thereof the following:

60 “2. A child from working in or around any home before
61 or after school hours or during vacation periods, provided
62 such work is not related to or part of the business, trade,
63 or profession of the employer.”

64 23. Page 12, line 7, by striking the word “fifty” and
65 inserting in lieu thereof the words “twenty dollars nor
66 more than fifty”.

67 24. Page 13, by striking lines 9 through 13, inclusive.

68 25. Page 13, line 14, by striking the words “commissioner
69 of labor” and inserting in lieu thereof the words “labor
70 commissioner”.

71 26. Page 13, line 21, by striking the words “of labor”.

72 27. Page 13, by adding after line 31 the following new
73 section and renumbering the subsequent sections:

74 “Anyone under the age of nineteen and subject to this
75 Act employed in the street trades who sells or delivers
76 the product or service of another and who is designated in
77 such capacity as an independent contractor shall be
78 provided with the reasonable and necessary cost of all
79 medical, hospital, nursing and doctor expenses incurred
80 as the result of injuries sustained arising out of and
81 in the course of selling or delivering such product or
82 service by the person, firm or corporation whose product
83 or service is so delivered.”

Received from the Senate

March 19, 1970

House 4

HOUSE FILE 1251

- 1 Amend the Grassley amendment to House File 1251, filed February 18,
- 2 1970, line 5, by inserting after the word "business" the words "except
- 3 those listed in Section nine (9) of this Act."

Offered from the floor and lost
February 19, 1970

JESSE of Polk

HOUSE FILE 1251

- 1 Amend the Grassley amendment to House File 1251,
- 2 filed February 18, 1970, line 5, by inserting after the
- 3 word "business" the words "owned and".

Offered from the floor and lost
February 19, 1970

TAPSCOTT of Polk

HOUSE FILE 1251

- 1 Amend the Grassley amendment to House File 1251, filed
- 2 February 18, 1970, line 6, by adding after the word
- 3 "parents" the words "or immediate relatives".

Offered from the floor and adopted
February 19, 1970

WINKELMAN of Calhoun

HOUSE FILE 1251

- 1 Amend House File 1251 as follows:
- 2 Page 5, line 12, by inserting after the word
- 3 "in" the words "section 2 and".

Offered from the floor and adopted
Reconsidered and withdrawn
February 19, 1970

TAPSCOTT of Polk

HOUSE FILE 1251

- 1 Amend House File 1251, page 2, by striking all of
- 2 line 9 and inserting in lieu thereof the following:
- 3 "a.m. and seven thirty o'clock p.m., except nine o'clock
- 4 p.m. June 1, through Labor Day."

Offered from the floor and adopted
February 19, 1970

DRAKE of Louisa-Muscatine

HOUSE FILE 1251

- 1 Amend House File 1251, page 10, line 31, by
- 2 inserting after the word "parents" the words "or
- 3 immediate relatives".

Filed - *lost 2-19, Withdrawn 2-20*
February 19, 1970

WINKELMAN of Calhoun

In: Human and industrial relations

House 3

HOUSE FILE 1251

- 1 Amend House File 1251, page 10, line 24, by
- 2 inserting after the word "to" the words "apply to,
- 3 affect, regulate, or".

Offered from the floor and lost
February 19, 1970

WINKELMAN of Calhoun
GRASSLEY of Butler

In: Human and industrial relations

HOUSE FILE 1251

- 1 Amend House File 1251 as follows:
- 2 By striking from page ten (10), line twenty (20), all
- 3 after the word "by" and all of lines twenty-one (21), twenty-
- 4 two (22), and twenty-three (23) and inserting in lieu thereof
- 5 the following: "the committee on child labor and shall be
- 6 furnished by the bureau of labor to the issuing authorities".

Offered from the floor and adopted
February 19, 1970

KOCH of Woodbury
DRAKE of Louisa-Muscatine

HOUSE FILE 1251

- 1 Amend the Mohrfeld Amendment to House File 1251,
- 2 filed February 18, 1970, by striking line 7 and insert-
- 3 ing in lieu thereof "of less than thirty thousand
- 4 inhabitants; in any city of thirty".

Offered from the floor and lost
February 19, 1970

LOGUE of Iowa

HOUSE FILE 1251

- 1 Amend House File 1251, page 8, as follows:
- 2 Strike all of line sixteen (16) after the word
- 3 "performed", all of lines seventeen (17), eighteen (18),
- 4 and nineteen (19) and insert a period (.).

Offered from the floor and adopted
February 19, 1970

WELDEN of Hardin

In: Human and industrial relations

HOUSE FILE 1251

- 1 Amend the Grassley amendment to House File 1251,
- 2 line 12, by inserting after the word "with" the words
- 3 "street trades and"

Offered from the floor and lost
February 19, 1970

JESSE of Polk

House 5

HOUSE FILE 1251

- 1 Amend House File 1251 as follows:
- 2 Page 5, line 23, by striking the word
- 3 "twenty-eight" and inserting in lieu thereof the
- 4 word "eighteen".
- 5 Page 5, line 23, by inserting after the word
- 6 "session." the following sentence: "The combined
- 7 hours of work outside school and hours in school
- 8 shall not exceed eight hours in one day while any
- 9 school is in session".

Offered from the floor and lost
February 19, 1970

TAPSCOTT of Polk

HOUSE FILE 1251

- 1 Amend House File 1251 by adding thereto the following
- 2 section:
- 3 Section one hundred twenty-four point twenty-one (124.21),
- 4 Code 1966, is hereby amended by striking all of lines
- 5 three (3), four (4), and five (5) and inserting in lieu
- 6 thereof the following: "Class 'B' permit holder."

Filed - *Filed not germane 2-20*
February 19, 1970

EWELL of Black Hawk

HOUSE FILE 1251

- 1 Amend House File 1251, page 10, by adding after
- 2 line 53 the following new subsection:
- 3 "4. Part-time, occasional, or volunteer work in
- 4 a business operated by a person sixteen years of age
- 5 or under."

Filed - *Last 2-20*
February 19, 1970

WINKELMAN of Calhoun

In: Human and industrial relations

HOUSE FILE 1251

- 1 Amend House File 1251 as follows:
- 2 1. Page 11, line 28, by striking the word "fifty" and inserting
- 3 in lieu thereof the word "twenty".
- 4 2. Page 11, line 29, by striking the word "five" and inserting
- 5 in lieu thereof the word "one".
- 6 3. Page 11, by striking lines 32 through 34, inclusive, and
- 7 inserting in lieu thereof the words "less than twenty dollars
- 8 nor more than one hundred dollars. Every day during which".

Filed - *Adopted 2-20*
February 19, 1970

VAN DRIE of Story