

House Study Bill 130

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
COMMERCE, REGULATION
AND LABOR BILL BY
CHAIRPERSON JENKINS)

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

A BILL FOR

1 An Act relating to the labor commissioner's regulatory duties and
2 responsibilities regarding occupational safety and health,
3 including training for inspections and investigations.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 1772YC 81
6 kh/gg/14

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1 1 Section 1. Section 88.2, subsection 1, Code 2005, is
1 2 amended to read as follows:
1 3 1. The labor commissioner, appointed pursuant to section
1 4 91.2, and the division of labor services of the department of
1 5 workforce development created in section 84A.1 shall
1 6 administer this chapter. The labor commissioner's primary
1 7 responsibility in administering this chapter shall be to make
1 8 workplace safety the predominant concern, ensuring consistent
1 9 enforcement interpretations and agency policies that support
1 10 the state's general business climate.

1 11 Sec. 2. Section 88.6, Code 2005, is amended by adding the
1 12 following new subsection:

1 13 NEW SUBSECTION. 10. TRAINING FOR INSPECTIONS. For
1 14 purposes of subsection 1, the credentials presented by the
1 15 commissioner or the commissioner's representative shall
1 16 include, but are not limited to, evidence that the
1 17 commissioner or the commissioner's representative has received
1 18 industry-specific training within the defined sectors of the
1 19 North American industry classification system within a two=
1 20 year period preceding the inspection or investigation.

1 21 Sec. 3. Section 88.16, subsection 1, Code 2005, is amended
1 22 to read as follows:

1 23 1. The commissioner shall conduct directly or by contract,
1 24 educational programs to provide an adequate supply of
1 25 qualified personnel to administer this chapter and
1 26 informational programs on the importance of and proper use of
1 27 adequate safety and health equipment. The commissioner shall
1 28 provide continuous and timely documentation of the training
1 29 conducted by the commissioner, and dates on which the training
1 30 was completed by the commissioner or the commissioner's
1 31 representative pursuant to section 88.6, subsection 10, on the
1 32 official web page of the division of labor services.

1 33 EXPLANATION

1 34 This bill establishes that the labor commissioner's primary
1 35 responsibility in administering the Code chapter regulating
2 1 occupational safety and health, Code chapter 88, is to make
2 2 workplace safety the predominant concern, ensuring consistent
2 3 enforcement interpretations and agency policies that support
2 4 the state's general business climate. The bill also requires
2 5 that the commissioner, or the commissioner's representative,
2 6 receive industry-specific training prior to conducting an
2 7 inspection or investigation under the Code chapter, and to
2 8 document such training on the agency's official web page.
2 9 LSB 1772YC 81
2 10 kh:nh/gg/14