

CHAPTER 316—S. F. No. 692.

An Act to require more adequate protection of employees from accidental injury or death in the course of their occupation, repealing certain sections of the factory acts, and providing penalties for violations of the act.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. To be fenced, boxed, or otherwise protected.—The intaking side of all engaging-toothed or other gears, rolls, drums and slides of every description on any type of machine; the spaces between fixed and moving parts of or at any machine, or between the latter or any part of it and structures near it, leaving insufficient clearance for any person employed thereon or near it; all pulleys and clutches; all belts, cables, bands and driving ropes or chains; all fly wheels, shafting, spindles, levers, connecting rods and links, couplings, or projections thereon, or upon reciprocating or moving parts of machines; all counter weights and balance gears and their suspension; all dangerous parts of machinery; all systems of electrical wiring and transmissions, all dynamos and other electrical apparatus and appliances of every description; and all prime movers in any factory, school, mercantile establishment, mill, workshop, engineering operation, or other places where persons are employed, or otherwise engaged, shall be fenced, boxed or otherwise protected to the fullest degree practicable; provided, however, that the above shall apply only to all machinery and apparatus above described when located less than six (6) feet above the working floor. All machinery, apparatus, furniture, fixtures, ways, structures, and other equipment shall be so placed or guarded in relation to one another as to be safe for all persons thereabouts employed, and all points which are rendered unsafe by the relative positions of such things shall be securely guarded. Every dangerous place of every description in or near to which any employee is obliged to pass or to be employed, shall be securely fenced, enclosed, or otherwise protected. No grindstone, tool, or appliance, or machine of any description shall be used when the same is known to be cracked or otherwise defective. If a machine or any part thereof is in a dangerous condition or is not properly guarded, the use thereof may be prohibited by the commissioner of labor or any factory inspector and a notice to that effect shall be attached thereto. Such unsafe or dangerous machinery shall not be used until made safe.

Sec. 2. Belt shifters to be placed in operation.—Every owner of a factory, mill or workshop where machinery is in use shall furnish or cause to be furnished, whenever practicable, belt shifters or other safe mechanical contrivance for the purpose of throwing belts on or off pulleys; and whenever practicable, machinery shall be provided with loose pulleys. Whenever in

the opinion of the labor commissioner it becomes necessary, exhaust fans of sufficient power or other devices shall be provided for carrying off dust from emery wheels, grindstones and other dust creating machinery.

Sec. 3. Speaking tubes, etc., to be provided.—Where the machinery is propelled by steam communication shall be provided between each workroom in which machinery is placed and the room in which the engineer is stationed by means of speaking tubes, electric bells, telephones or appliances that may control the motive power.

Sec. 4. To be not less than six feet from floor.—No part of the motors, gearing, belts, pulleys, shafts, or clutches or other apparatus conveying the power of a prime mover to machines shall be less than six feet from the floor unless it is securely guarded.

Sec. 5. Points of danger to be guarded.—Whenever practicable the points of danger in any machine or mechanism shall be securely guarded by the maker, and the manufacturer or sale of any machine or mechanism not so guarded is hereby prohibited.

Sec. 6. Hand rails and foot guards.—All vats, pans or other receptacles containing molten metal or hot or corrosive liquids, or otherwise dangerous liquids, below the floor level; all pits or other openings in the floor or surface of the ground; all gangways and inclined footways, or other places from which a person might fall; shall be provided with adequate hand rails and foot guards or other equally effective protection, and in establishments where women are employed or where it is deemed necessary by the labor commissioner, stairways shall be built solid and without openings between the treads.

Sec. 7. Stairways, etc., to be kept properly lighted.—All stairways and inclined footways, and all points where there is a break or change in the floor level or in the character of the floor surface, where persons may have to walk or pass, and all dangerous places, all prime movers and all moving parts of machinery where, on or about which persons work or pass, or may have to work or pass in emergencies, shall be kept properly and sufficiently lighted during working hours.

Sec. 8. Employee not to remove or displace guard, etc.—No employees in any factory, mill, workshop, or upon any engineering work, nor any other person, by permission or otherwise, shall remove, displace or destroy any guard for dangerous machinery, or other safety device, which the employer shall have provided under the requirements of this chapter, or any other law, save under rules established by the employer therefor. Safety appliances removed for the purpose of making repairs, adjustments, or for other purposes permitted or required by the employer shall be immediately replaced when such purpose is accomplished.

Sec. 9. Children under sixteen not to be employed.—No children, under the age of sixteen (16) years, shall be employed at sewing belts, or to assist in sewing belts in any capacity whatever; nor shall any such children adjust any belt to any machinery; they shall not oil, or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood shapers, wood-jointers, planers, and paper or wood polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories; nor as pin boys in bowling alleys; they shall not operate or assist in operating dough brakes or cracker machinery of any description; wire or iron straightening machines, nor shall they operate or assist in operating rolling mill machines, punches or shears, washing, grinding or mixing mill or calendar rolls in rubber manufacturing; nor shall they operate or assist in operating laundry machinery; nor shall they be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used; and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or any other employment dangerous to their lives or limbs or their health or morals. No woman shall be required or permitted to oil or clean moving machinery.

Sec. 10. Employment of such children prohibited.—No person shall employ or permit any child under the age of sixteen years to have the care, management or operation of any elevator, nor shall they be employed in operating any steam boiler or other steam generating apparatus.

Sec. 11. Floor space not to be crowded.—The floor space in any factory, mill, workshop or mercantile establishment shall not be crowded with machinery in a manner dangerous to employees, or in excess of the sustaining power of floors or walls, nor be overcrowded with materials or products so as to be a menace to employees or in excess of the sustaining power of the floor and walls.

Sec. 12. Hoisting apparatus, etc., to be protected.—Every hoisting apparatus used in the construction of any building; every hoistway, hatchway, elevator well, and wheel hole in any factory, mill, workshop, storehouse, wareroom, or store, shall be securely protected on each floor by a substantial barrier at least three feet and six inches high, which shall be kept closed except when necessarily opened for use. Every elevator car used for either freight or passenger shall be provided with some suitable mechanical device by which it can be securely held in the event of accident to the rope or hoisting machinery.

Sec. 13. Adequate protection for scaffolds, etc.—Whenever practicable, all scaffolds, hoists, cranes, stays, supports, or other mechanical contrivances, erected or constructed by any person, firm or corporation, in this state, for the use in erection, repairing, alteration, removal, cleaning or painting of any house, building, bridge, viaduct, or other structure shall be erected and constructed in a safe, suitable and proper manner, and shall be so erected and constructed, placed and operated, as to give proper and adequate protection to the life and limb of any person or persons employed or engaged thereon, and to any persons or employees passing under or in proximity to the same. Whenever a state factory inspector shall find that the scaffolding or the slings, hangers, blocks, pulleys, stays, braces, irons, or ropes of any swinging or stationary scaffolding, platform, or other similar device, used in the construction, alteration, repairing, removing, cleaning, or painting of buildings, bridges or viaducts within this state, or in factories, work shops, mills, or mercantile establishments, are unsafe or liable to prove dangerous to the life or limb of any person, he shall at once notify the person responsible for its creation or maintenance, either personally or by mail, and a notice of danger shall also be affixed to said scaffold, platform or other such device, which shall be made safe before further use. Wherever practicable, scaffolding, staging, runways, oiling platforms and all other overhead walks or standing places among or suspended from an overhead support, or rising from the ground floor and more than five (5) feet from the ground or floor, shall have a safety rail properly bolted or otherwise fastened, secured and braced, rising at least thirty-four (34) inches above the floor of said scaffolding, staging, platform or other overhead walk or standing place, and extending along the entire length of the outside and ends thereof, and properly attached thereto, unless equal protection is afforded in another manner, and such scaffolding or staging shall be so fastened as to prevent the same from swaying from the building or structure to which it is attached or toward which an employe must work. Persons employed upon swinging scaffolds shall use a life line securely fastened to their persons and to some secure support other than said swinging scaffold.

Sec. 14. Floors, etc., to be substantially constructed.—All floors, standing places, stairways, inclined footways and ladders and all hand rails or similar protection shall be of substantial construction and at all times shall be kept in good order and repair and so as to be firm and safe for the uses to which they are put.

Sec. 15. Contractor to plank over iron and steel.—On all buildings three (3) stories or more in height where floor beams are of iron or steel, the contractor for the iron or steel work

of such buildings in the course of construction, or the owners of such buildings, shall plank over the entire tier of iron or steel beams on the floor next below the one on which such structural iron or steel is being erected, except such space as may be reasonably required for the proper construction of such iron or steel work, and for the raising and lowering of materials to be used in the construction of such buildings, or such spaces as may be designated by the plans and specifications for stairways, elevator-shafts and other openings.

Sec. 16. Warning notices.—The employer shall post such warning notices and instructions and cause dangerous places to be indicated in such manner as the labor commissioner shall require.

Sec. 17. Fire escapes—Doors—Handrails.—Every building in which laborers are employed shall be provided with sufficient means of escape in case of fire, by more than one way of egress, each of which shall be at all times free from obstruction and ready for immediate use, and every such egress shall be provided with a sign having on it the word "exit" in letters not less than five inches in height and so as plainly to indicate to persons within the building the location of such egresses. Every door leading in or to any such building shall be so constructed as to open outward, when possible, and shall not be so fastened during the working hours as to prevent free egress. Substantial hand rails shall be provided on all stairways in every such building.

Sec. 18. External fire escapes.—If any such building where persons are employed be more than two stories high, it shall be the duty of the owner of such building to provide at least one fire escape, and as many more as the labor commissioner may require, not exceeding one additional fire escape for every one hundred persons employed above the first floor. Every such fire escape shall be on the outside of the building, connecting on each floor above the first with at least two openings; shall be well fastened and secured, with landings not less than six feet in length and three in width, guarded by an iron railing not less than three feet in height. Such landings shall be connected by iron stairs, not less than two feet wide, and with steps of not less than six-inch treads, placed at an angle of not more than forty-five degrees, and protected by a well secured hand rail on both sides, with an automatic drop ladder, two feet wide, reaching from the lower platform to the ground. Such fire escape shall be sufficient if constructed on any other plan approved by the labor commissioner. The openings to each fire escape shall be as far as practicable from the stairways and elevator shafts, and the ladder of each fire escape shall extend to the roof. Stationary stairs or ladders shall also be provided on the inside from the upper story to the roof.

All doors onto a fire escape shall be metal covered, and all glass used in doors or windows above the first floor opening onto a fire escape or directly under a fire escape shall be wire glass. A suitable disposition shall be made of all inflammable articles and suitable waste cans or barrels shall be provided for the proper handling of sweepings, oily waste or other combustible material, as directed by the labor commissioner. Each factory, mill and workshop more than two stories high shall also be provided with inside and outside standpipes, and with hose connected therewith, as required in the case of hotels of the same height, and with chemical fire extinguishers or pails of water or sand on each floor, always ready for use.

Sec. 19. Order, suggestion or notice to be receipted for.—Every order, suggestion, or notice served upon any employer of labor, owner or manager of any building, or other person, shall be certified by a receipt for the same taken by the officer or employee of the labor department serving such order, suggestion or notice, which receipt shall be signed by the owner, manager or superintendent of said employer. No liability to any person other than an employee shall attach to any owner of any factory, mill, workshop, engineering works, or mercantile establishment, because of the provisions of this act, until notice to comply with the terms of this act has been served upon such owner by an officer or employee of the labor department of this state, and reasonable time to comply with such notice has elapsed.

Sec. 20. Violation of law—Prosecution—Penalty.—Every person who violates or fails to comply with any requirement of this chapter, or disregards any order, notice or direction of any member or employee of the labor department made in accordance with its provisions, or who obstructs or interferes with any inspection being made pursuant thereto, or who removes from any machine any notice stating that such machine is dangerous and unsafe, or who operates any such machine while such notice is attached and such machine is still unguarded and unsafe, shall be guilty of a misdemeanor, the minimum penalty whereof shall be a fine of twenty-five dollars, or imprisonment for fifteen days. But whenever notice is required before prosecution, no criminal proceeding shall be commenced until thirty days after such notice, nor then, if within such time the requirements of the notice have been met; Provided, that if such requirement be to put a water-closet or privy in sanitary condition, where the only defect is due to carelessness in its management, or to put an elevator in safe condition, only forty-eight hours shall be allowed. In case of application to the court to restrain, the time aforesaid shall not begin to run until the decision thereon.

Sec. 21. **Definitions.**—The term “prime mover” as used in this act shall include all steam, gas, oil, or other kinds of engines, and also all electrical apparatus which generates, converts, or transmits power.

The words “guard,” “guarded,” “safeguard,” “safeguarded” and “protection,” shall be given a broad interpretation, so as to include any practicable method of mitigating or preventing a specific danger.

Sec. 22. **Certain acts repealed.**—Sections 1813, 1814, 1815, 1816, 1817, 1820 and 1824, Revised Laws of 1905, and Sections 1, 2, 3, 4, 5, and 7 of Chapter 288, General Laws of 1911, and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Sec. 23. This act shall take effect and be in force from and after October 1, 1913.

Approved April 16, 1913.

CHAPTER 317—S. F. No. 718.

An Act to enable all villages in the State of Minnesota to purchase electric energy for municipal purposes and for supplying electricity to the inhabitants thereof.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Villages may contract for electrical energy.**—All villages in the State of Minnesota are hereby authorized and empowered to contract with any person, firm, corporation or municipal corporations for the purchase of electric energy for municipal purposes and to be distributed and supplied by such municipality to the inhabitants thereof.

Sec. 2. **Contract to be made by council.**—Such contract shall be made by the common council, or other governing body of such municipality by a two-thirds vote of all of the members of such council or governing body, and may be for a period not exceeding fifteen (15) years from the time when such person, firm, corporation or municipal corporations shall commence to furnish such electric energy, which time shall not be more than two years from the date of such contract.

Sec. 3. This act shall take effect and be in force from and after its passage.

Approved April 16, 1913.