

SUBSTITUTE FOR SENATE BILL 351.

- 1 Reported from Committee on Labor, Mines and Mining, April 10, 1907.
- 2 Read first time, ordered printed and ordered to a second reading.

A BILL

For an act to provide for the health, safety and comfort of employes in factories, mercantile establishments, mills and workshops, in this State, and to provide for the enforcement thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That all saws, planers, wood shapers,
3 jointers, sand paper machines and iron mangles, emery wheels, ovens, fur-
4 naces, forges and rollers of metal, and all set screws, drums and machinery,
5 including belts, cogs, gearing, belting, shafting, cables and fly wheels, flying
6 shuttles and hydro extractors, laundry machinery, mill gearing and machinery
7 of every description, all electrical dynamos and other electrical apparatus^o and
8 appliances; all vats, pans or other structures filled with molten metal or hot
9 or corrosive acids in any factory, mercantile establishment, mill or workshop,
10 shall be so located wherever possible as not to be dangerous to workmen, and

11 shall be properly guarded, fenced or otherwise protected. All dangerous
12 places in or about mercantile establishments, factories, mills or workshops,
13 near to which any employe is obliged to pass or to be employed shall, where
14 practicable, be properly enclosed or otherwise guarded. No machine in any
15 factory, mercantile establishment, mill or workshop, shall be used when the
16 same is known to be cracked or otherwise defective, when such defect would
17 make such machine dangerous; and no repairs shall be made to the active
18 mechanism or operative part of any machine when the machine is in motion.

Sec. 2. No person shall remove or make ineffective any safeguard around
2 or attached to any machinery, vats or pans or other articles mentioned in sec-
3 tion one (1) of this Act, while the same are in use, except for the purpose of
4 immediately making repairs thereto, and all such safeguards so removed shall
5 be promptly replaced.

Sec. 3. It shall be the duty of the owner or lessee of any factory, mer-
2 cantile establishment, mill or workshop, or his agent, superintendent or other
3 person in charge of the same, to furnish and supply where machinery is in use,
4 belt shifters or other safe mechanical contrivances, for the purpose of throwing
5 on or off belts or pulleys; and, whenever practicable, machinery shall be pro-
6 vided with loose pulleys.

Sec. 4. All hoist ways, hatch ways, elevator wells and wheel holes in fac-
2 tories, mercantile establishments, mills or workshops, shall be securely fenced
3 and closed, or otherwise protected, and due diligence shall be used to keep all
4 such means of protection closed, except where it is necessary to have the
5 same open, in order that the said hatch ways, elevators or hoisting apparatus

6 may be used. All elevator cabs or cars, whether used for freight or passen-
7 gers, shall be provided with some suitable mechanical device, whereby the car
8 or cab shall be securely held in the event of accident to the shipper rope or
9 hoisting machinery, or controlling apparatus.

Sec. 5. In every factory, mercantile establishment, mill or workshop, in
2 which the machinery is propelled by steam or other mechanical power, com-
3 munication shall be provided between each room in which machinery is placed,
4 and the room in which the engineer is situated or motive power generated;
5 such communication to be by means of speaking tubes, electric switch, electric
6 bells, colored lights, or some other approved and effective means of communi-
7 cation, in order that in case of need or accident, the motive power of such fac-
8 tory, mercantile establishment, mill or workshop shall be effectively stopped
9 or controlled.

Sec. 6. If any elevator, machine, electrical apparatus, or any part or parts
2 thereof, are in an unsafe condition, or not properly guarded, where is it possible
3 to guard the same, the owner or lessee, or his agent, superintendent or other
4 person in charge of any factory, mercantile establishment, mill or workshop,
5 where there is such unsafe and unguarded machinery, shall cause the use of
6 the same to be discontinued and shall attach thereto a notice to the effect that
7 such machinery is unsafe or dangerous, and must not be used or operated un-
8 til repaired, replaced or properly guarded, which notice shall not be detached
9 until such machinery is put in a safe condition, replaced or properly guarded.

Sec. 7. That every person, firm or corporation employing females in any
2 factory, mercantile establishment mill or workshop, in this State, shall pro-

3 vide a suitable seat for the use of each female employe, and shall permit the
4 use of such seat by them when they are not necessarily engaged in the active
5 duties for which they are employed, and shall permit the use of such seats at
6 all times when such use would not actually and necessarily interfere with the
7 proper discharge of the duties of such employes, and where practicable, such
8 seat shall be made a permanent fixture and shall be so constructed or adjusted,
9 that when said seat is not in use it shall not obstruct such female when
10 actually engaged in the performance of her duties.

Sec. 8. No person, being the proprietor, lessee, manager or superinten-
2 dent of any factory, mercantile establishment, mill or workshop, shall cause,
3 permit or allow the same or any portion or apartment thereof, or any room in
4 such factory, mercantile establishment, mill or workshop to be over-crowded,
5 or inadequate, faulty or insufficient in respect to light, ventilation, heat, clean-
6 liness, drainage and thorough sanitary condition.

7 In every place mentioned in paragraph one (1) of this section, where one
8 or more persons are employed as aforesaid, at least five hundred (500) cubic
9 feet of air space shall be provided for each and every person employed there-
10 in, and fresh air shall be supplied by ventilation in such a way as not to jeo-
11 pardize the health of any employe. All such places shall be thoroughly aired
12 before beginning the work for the day and during every recess. No part of
13 such air supply shall be taken from any cellar or basement. All factories, mer-
14 cantile establishments, mills or workshops shall be kept free from any gas or
15 effluiva arising from any sewer, drain, privy, or other nuisance, and exhaust
16 fans of sufficient power or other sufficient devices shall be provided for the
17 purpose of adequately carrying off poisonous fumes, gases and dust.

18 In every place mentioned in paragraph one (1) of this section, where one
19 or more persons are employed as aforesaid, adequate measures must be taken
20 for securing and maintaining a reasonable, and as far as possible, equable tem-
21 perature. No unnecessary humidity which would jeopardize the health of the
22 employes shall be permitted.

23 All decomposed, putrescent, fermented matter and all refuse, waste and
24 sweepings shall be daily removed and disposed of in such manner as not to
25 cause a nuisance, and all cleaning must be done, as far as possible, outside of
26 working hours but if done during working hours it shall be done in such man-
27 ner as to avoid the unnecessary raising of dust. In every factory, mercantile
28 establishment, mill or workshop, in which any process is carried on which
29 makes the floor wet, the floor shall be constructed and maintained with due re-
30 gard to the health of the employees and adequate means shall be provided for
31 drainage.

Sec. 9. In all factories, mercantile establishments, mills or workshops
2 proper and sufficient means of escape in case of fire shall be provided, by more
3 than one way of egress, and such means of escape shall at all times be kept
4 free from any obstruction, and shall be kept in good repair and ready for use,
5 and shall be plainly marked as for such purpose.

6 All doors leading in or to such factories, mercantile establishments, mills
7 or workshop, shall be so constructed as to be easily and immediately opened
8 from within in case of fire or other emergency.

9 Proper and substantial hand rails shall be provided on all stairways in
10 factories, mercantile establishments, mills or workshops, and the threads shall

11 be so construed as to furnish a firm foot hold; and where females are employed
12 the stairs regularly used by them shall be properly screened at the sides.

Sec. 10. In all factories, mercantile establishments, mills and work shops,
2 a proper light shall be kept burning by the owner or lessee, in all hallways, at
3 all stairs, stair landings and shafts, and in front of all passenger or freight ele-
4 vators, upon the entrance floors and upon the other floors, on every workday
5 of the year, from the time when the building is opened for use until the time it
6 is closed; except at times when the influx of natural light shall make artificial
7 light unnecessary.

Sec. 11. No floor space of any workroom in any factory, mercantile estab-
2 lishment, mill or workshop, shall be so overcrowded with machinery or other
3 material as thereby to cause serious risk to, or endanger the life or limb of any
4 employe, nor shall there be in any such establishment a load in excess of the
5 sustaining power of the floors and walls thereof.

Sec. 12. Every factory, mercantile establishment, mill or workshop in
2 which five (5) or more persons are employed shall be provided with a suffi-
3 cient number of water closets, earth closets or privies within reasonable access
4 of the persons employed therein, and such water closets, earth closets or privies
5 shall be supplied in the proportion of at least one (1) to every twenty-five (25)
6 male persons, and one (1) to every twenty (20) female persons, and whenever
7 male and female persons are employed, said water closets and privies shall be
8 provided separate and apart for the use of each sex and plainly marked by
9 which sex they are to be used, and no person or persons shall be allowed to
10 use such closets or privies as are assigned to the other sex, and such water
11 closets or privies shall be constructed in an approved manner and properly

12 screened and ventilated and at all times kept in a clean and thoroughly sani-
13 tary condition.

14 In factories, mercantile establishments, mills and workshops adequate wash-
15 ing facilities shall be provided for all employes, and where labor performed
16 by the employes is of such a character as to require or make necessary a change
17 of clothing, wholly or in part, by the employes, there shall be provided a dress-
18 ing room or rooms, lockers for keeping clothing, and suitable washing facili-
19 ties separate for each sex, and no person or persons shall be allowed to use
20 facilities assigned to the opposite sex: *Provided*, That nothing in this section
21 shall be construed to prevent any city, town or village by appropriate ordi-
22 nance or regulation from prohibiting the construction, use or maintenance in
23 such city, town or village of any kind or class of earth closets or privies which
24 may be considered a nuisance or detrimental to the public health.

25 *And Provided further*, That nothing in this Act shall be construed as abro-
26 gating or repealing any provision of Section 5 of an Act entitled "An Act
27 to provide for the licensing of plumbing and to supervise and inspect plumb-
28 ing," approved June 10, 1897, and in force July 1, 1897, or the provisions of
29 any local ordinance or regulation of any city, town or village, requiring ap-
30 proved and sufficient method of sanitation, light, heat, drainage or ventilation
31 of an equal or superior standard to that required in this Act.

Sec. 13. No employe and no person for any such employe shall be allowed
2 to take food into any room or place in a factory, mercantile establishment, mill
3 or workshop, where white lead, arsenic or other poisonous substances are used
4 or noxious fumes, injurious dusts or gases are present. Employes shall not re-

5 main in any such room during the time allowed for meals, and suitable provis-
6 ions shall be made and maintained for enabling the employes to take their
7 meals elsewhere in such establishment.

8 A sufficient supply of water suitable for drinking purposes shall be pro-
9 vided.

Sec. 14. The traversing carriage of any self-acting machine must not be
2 allowed to run out within a distance of eighteen (18) inches from any fixed struc-
3 ture, not being part of the machine, if the space over which it runs out is a
4 space over which any person is liable to pass whether in the course of his em-
5 ployment or otherwise.

Sec. 15. It shall be the duty of every person, firm or corporation, to which
2 the provisions of this Act may apply, to carry out the same and to make all the
3 changes and additions necessary therefor, and in every way to comply with all
4 the provisions of this Act. When such changes and additions are made by a
5 lessee in order to make such factory, mercantile establishment, mill or workshop
6 comply herewith, said lessee may at any time within ninety (90) days after the
7 completion thereof, bring an action against any person, corporation or partner-
8 ship owning or having a proprietary interest in such premises, and recover
9 such proportion of the expense of making such changes and additions as the court
10 adjudges should justly and equitably be borne by such defendant.

Sec. 16. Whenever, by the provisions of this Act it is made the duty of any
2 person, firm or corporation within this State, to make or install any alterations,
3 additions or changes, the same shall be made and installed in conformity with

4 the provisions of this Act: *Provided*, That all plumbing, drainage and sewer-
5 age work, and the installation of any fixtures in connection therewith, when the
6 same is done within any incorporated city, town or village shall be done under
7 the supervision and direction of the proper authorities of such city, town or vil-
8 lage. But in all cases, such plumbing, drainage and sewerage shall be made and
9 completed within thirty (30) days from the date of notification by the Chief State
10 Factory Inspector, or his deputy.

Sec. 17. It shall be the duty of the owner or lessee or superintendent of
2 any factory, mercantile establishment, mill or workshop in this State, or, in the
3 absence of the owner, lessee or superintendent, it shall be the duty of the person
4 in charge of such factory, mercantile establishment, mill or workshop to report
5 to the Chief State Factory Inspector at the office of the Chief State Factory In-
6 spector all accidents or injuries sustained in the following cases, to-wit:

7 (1) When such accident or injury results in instantaneous death, notice
8 shall be given at once to the office of the Chief State Factory Inspector by tele-
9 phone or telegraph.

10 (2) When such accident or injury results in death within forty-eight (48)
11 hours after such accident or injury occurred, notice thereof shall be given im-
12 mediately upon death to the Chief State Factory by telephone or telegraph.

13 (3) When such accident or injury not resulting in death within forty-eight
14 (48) hours, necessitates the services of a physician or surgeon, and the services
15 of a physician or surgeon are actually procured within forty-eight (48) hours
16 from the happening of such accident or injury, notice of such accident or injury

17 shall be given to the Chief State Factory Inspector in writing within seventy-
18 two (72) hours after such accident occurred.

19 Such reports shall be made upon blank forms furnished by the Chief State
20 Factory Inspector, and shall be made in writing in all cases within seventy-two
21 (72) hours after such accident occurred, whether such accident was reported by
22 telegraph or telephone or not: *Provided*, That the failure to procure blanks from
23 the Chief State Factory Inspector shall not exempt any person, firm or corpora-
24 tion subject to the provisions of this Act from penalty for failure to make such
25 report within the time required by law.

26 Such report shall give the name, address, sex, and age of the person so in-
27 jured, and shall state as fully as possible the time, character, extent and cause of
28 the accident, or injury, the place to which the injured person has been taken and
29 the name and address of the attending physician or surgeon. Such report shall
30 contain such other and additional information as may be obtainable, which will
31 enable the factory inspector to take steps to prevent the happening of any simi-
32 lar accidents in the future; and such report in case of instant death or death with-
33 in forty-eight (48) hours, shall also contain the name or names of the witness or
34 witnesses to the accident or injury.

35 And in all accidents the Chief State Factory Inspector or his deputy may
36 subpoena witnesses, administer oaths, and do whatever may be necessary in or-
37 der to make a thorough and complete investigation of the same, and keep a
38 complete record thereof; and such witnesses shall be allowed the fees now pre-
39 scribed by law to be paid witnesses attending courts of record in this State, such
40 fees to be paid by the State Treasurer out of the moneys in the State Treasury

41 not otherwise appropriated, upon warrants signed by the Auditor of Public Ac-
42 counts, such warrants to be issued upon vouchers certified to as correct by the
43 factory inspector, showing the attendance of such witness at such investigation;
44 and it shall be the duty of the State Factory Inspector to require such precau-
45 tions to be taken in conformity with the provisions of this Act as may be neces-
46 sary to prevent the happening of a similar accident in any factory, mercantile
47 establishment, mill or workshop in this State: *Provided, however,* That the pro-
48 visions of this section shall not be construed as interfering with the duties of
49 coroners, under existing laws.

Sec. 18. It shall be the special duty of the Chief State Factory Inspector,
2 and of the assistant State factory inspector, and deputy factory inspectors, un-
3 der the direction and supervision of the Chief State Factory Inspector, to en-
4 force the provisions of this Act and to prosecute all violations of the same be-
5 fore any magistrate or any court of competent jurisdiction in this State. And
6 for that purpose they and each of them are hereby empowered to visit and in-
7 spect at all reasonable times, and as often as shall be necessary, all such facto-
8 ries, mercantile establishments, mills and workshops in this State, and in the
9 enforcement of the provisions of this Act, the Chief State Factory Inspector
10 and the assistant factory inspector and the deputy factory inspectors, under
11 the direction and supervision of the Chief State Factory inspector, shall give
12 proper notices or orders in regard to any violation of this Act to the persons
13 owning, operating or managing any such factory, mercantile establishment, mill
14 or workshop. Such notices or orders shall be written or printed and signed of-
15 ficially by the Chief State Factory Inspector, assistant factory inspector or one
16 of the deputy factory inspectors, and said notices may be served by delivering

3 any foreign language: *Provided*, That the State Factory Inspector shall supply
4 copies of this Act upon application, and such printed copy shall be conspicuous-
5 ly posted in the office and in the work rooms of every establishment covered by
6 the provisions of this Act.

Sec. 22. This Act shall take effect and be in force on and after the first day
2 of November, 1907.