

CHAPTER 98.

[H. B. 46.]

HEALTH AND SAFETY—FACTORIES, MILLS, ETC.

AN ACT relating to the division of safety of the department of labor and industries and to health and safety in factories, mills, and workshops; amending section 1, chapter 84, Laws of 1905 as last amended by section 1, chapter 17, Laws of 1943 and RCW 49.20.010, and section 2, chapter 84, Laws of 1905 and RCW 49.20.020, and section 4, chapter 84, Laws of 1905 as amended by section 2, chapter 205, Laws of 1907 and RCW 49.20.040, and section 5, chapter 84, Laws of 1905 as amended by section 3, chapter 205, Laws of 1907 and RCW 49.20.050, and section 6, chapter 84, Laws of 1905 and RCW 49.20.060, and section 11, chapter 84, Laws of 1905 as amended by section 5, chapter 205, Laws of 1907 and RCW 49.20.110; and repealing section 7, chapter 84, Laws of 1905, section 4, chapter 205, Laws of 1907 and RCW 49.20.070, and section 12, chapter 84, Laws of 1905 and RCW 49.20.100; and providing penalties.

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

SECTION 1. Section 1, chapter 84, Laws of 1905 as last amended by section 1, chapter 17, Laws of 1943 and RCW 49.20.010 are each amended to read as follows:

RCW 49.20.010
amended.

Safeguards to
be provided.

Any person, firm, corporation or association operating a factory, mill or workshop, or conducting any operation where workmen subject to the provisions of Title 51, are employed, shall provide and maintain in use, belt shifters or other mechanical contrivances for the purpose of throwing on or off belts on pulleys while running, where the same are practicable with regard to the nature and purpose of said belts and the dangers to employees therefrom; also reasonable safeguards for all vats, pans, trimmers, cut-off, gang edger, and other saws, planers, cogs, gearings, belting, shafting, coupling, set screws, live rollers, conveyors, mangles in laundries and machinery of other similar description, which it is practicable to guard, and which can be

effectively guarded with due regard to the ordinary use of such machinery and appliances, and the dangers to employees therefrom, and with which the employees of any such factory, mill or workshop are liable to come in contact while in the performance of their duties; and shall correct any other unsafe methods of performing work which can be corrected with due regard to the general performance of such work; and if any machine or equipment, or any part thereof, is in a defective condition, and its operation would be extrahazardous because of such defect, or if any machine is not safeguarded as provided in this chapter, the use thereof is prohibited, and a notice to that effect shall be attached thereto by the department of labor and industries by and through the division of safety immediately on finding such defect or lack of safeguard, and such notice shall not be removed until said defect has been remedied or the machine safeguarded as herein provided; and where it is found that discontinuance of unsafe methods or practices is practicable with due regard to the ordinary performance of the work, such unsafe practices or methods shall be immediately discontinued upon written notice from the division of safety to the employer or his representative, and the work shall cease until such unsafe practices or methods have been corrected.

Unsafe or defective equipment to be remedied.

Every person, firm, corporation or association subject to the provisions of this section who has received a notice from the division of safety that such person, firm, corporation or association is violating any provision of this section, and who nevertheless continues to so violate this section, shall be guilty of a gross misdemeanor.

Violation, gross misdemeanor.

SEC. 2. Section 2, chapter 84, Laws of 1905 and RCW 49.20.020 are each amended to read as follows:

RCW 49.20.020 amended.

Every factory, mill or workshop where machinery is used and manual labor is exercised by the

Ventilation and sanitation.

way of trade for the purposes of gain within an enclosed room shall be provided in each work room thereof with good and sufficient ventilation and kept in a cleanly and sanitary state, and shall be so ventilated as to render harmless, so far as practicable, all gases, vapors, dust or other impurities, generated in the course of the manufacturing or laboring process carried on therein; and if in any factory, mill or workshop, any process is carried on in any enclosed room thereof, by which gases, vapors, dust, or other impurities are generated and inhaled to an injurious extent by the persons employed therein, conveyors, receptacles or exhaust fans, or other mechanical means, shall be provided and maintained for the purpose of carrying off or receiving and collecting such impurities.

RCW 49.20.040 amended.

SEC. 3. Section 4, chapter 84, Laws of 1905 as amended by section 2, chapter 205, Laws of 1907 and RCW 49.20.040 are each amended to read as follows:

Examination of factories.

It shall be the duty of the director of labor and industries by and through the division of safety to examine from time to time, all factories, mills, workshops, storehouses, warerooms, stores and buildings and the machinery and appliances therein contained to which the provisions of this chapter are applicable for the purpose of determining whether they do conform to such provisions.

RCW 49.20.050 amended.

SEC. 4. Section 5, chapter 84, Laws of 1905 as amended by section 3, chapter 205, Laws of 1907 and RCW 49.20.050 are each amended to read as follows:

Request for inspection.

Any person, firm, corporation or association carrying on business to which the provisions of this chapter are applicable, shall have the right to make written request to the division of safety to inspect any factory, mill or workshop, and the machinery therein used, and any storehouse, wareroom or store, which said applicant is operating, occupying or using,

and the director by and through the division of safety shall forthwith make said inspection.

SEC. 5. Section 6, chapter 84, Laws of 1905 and RCW 49.20.060 are each amended to read as follows:

RCW 49.20.060 amended.

Any employee of any person, firm, corporation or association shall notify his employer of any defect in, or failure to guard the machinery, appliances, ways, works and plants, with which or in about which he is working, when any such defect or failure to guard shall come to the knowledge of any said employee, and if said employer shall fail to remedy such defects then said employee may complain to the supervisor of safety or his duly authorized agent of any such alleged defects in or failure to guard the machinery, appliances, ways, works and plants, or any alleged violation by such person, firm, corporation or association, of any of the provisions of this chapter, in the machinery and appliances and premises used by such person, firm, corporation or association, and with or about which such employee is working, and upon receiving such complaint, it shall be the duty of the director by and through the supervisor of safety to forthwith make an inspection of the machinery and appliances complained of.

Employee may notify supervisor of defects.

SEC. 6. Section 11, chapter 84, Laws of 1905 as amended by section 5, chapter 205, Laws of 1907 and RCW 49.20.110 are each amended to read as follows:

RCW 49.20.110 amended.

Any person, firm, corporation or association who violates or fails to comply with any of the provisions of this chapter, except as provided in section 1 hereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.

Violation, misdemeanor.

SEC. 7. Section 7, chapter 84, Laws of 1905, section 4, chapter 205, Laws of 1907 and RCW 49.20.070 are each repealed.

Repeal.

Repeal.

SEC. 8. Section 12, chapter 84, Laws of 1905 and RCW 49.20.100 are each repealed.

Passed the House February 2, 1959.

Passed the Senate March 4, 1959.

Approved by the Governor March 10, 1959.

CHAPTER 99.

[S. B. 280.]

JUSTICE COURTS—RETURN OF PROCESS.

AN ACT relating to civil procedure in justice courts; and amending section 2, chapter 19, Laws of 1903 and RCW 12.04.070.

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

RCW 12.04.070 amended.

SECTION 1. Section 2, chapter 19, Laws of 1903 and RCW 12.04.070 are each amended to read as follows:

Process—Return.

Every constable or sheriff serving process or complaint and notice shall return in writing, the time, manner and place of service and indorse thereon the legal fees therefor and shall sign his name to such return, and any person other than one of said officers serving summons or complaint and notice shall file with the justice his affidavit, stating the time, place and manner of the service of such summons or notice and complaint and shall indorse thereon the legal fees therefor.

Passed the Senate February 23, 1959.

Passed the House March 3, 1959.

Approved by the Governor March 10, 1959.