

## CHAPTER 205.

[S. B. 294.]

## AMENDING ACT PROVIDING FOR PROTECTION AND HEALTH OF EMPLOYEES IN FACTORIES, MILLS, ETC.

AN ACT to amend sections 1, 4, 5, 7 and 11, of an act entitled "An act providing for the protection and health of employes in factories, mills or workshops where machinery is used, and providing for suits to recover damages sustained by the violation thereof, and providing a punishment for the violation thereof, and repealing an act entitled 'An act providing for the protection of employes in factories, mills or workshops where machinery is used, and providing for the punishment of the violation thereof,' approved March 6, 1903, and repealing all other acts or parts of acts in conflict herewith," approved March 6, 1905.

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

SECTION 1. That section 1 of an act entitled "An Act providing for the protection and health of employes in factories, mills or workshops, where machinery is used, and providing for suits to recover damages sustained by the violation thereof, and prescribing a punishment for the violation thereof, and repealing an act entitled 'An Act providing for the protection of employes in factories, mills or workshops where machinery is used, and providing for the punishment of the violation thereof,' approved March 6, 1903, and repealing all other acts or parts of acts in conflict herewith," approved March 6, 1905, be and the same is hereby amended to read as follows: Sec. 1. That any person, firm, corporation or association operating a factory, mill or workshop where machinery is used 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 due regard to the nature and purpose of said belts and the dangers to employes 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 or similar description, which it is practicable to guard, and which

Belt  
shifters.

Guards for  
machinery.

can be effectively guarded with due regard to the ordinary use of such machinery and appliances, and the dangers to employes therefrom, and with which the employes of any such factory, mill or workshop are liable to come in contact while in the performance of their duties; and if any machine or any part thereof, is in a defective condition, and its operation would be extra hazardous because of such defect, or if any machine is not safeguarded as provided in this act, the use thereof is prohibited, and a notice to that effect shall be attached thereto by the employer or inspector immediately on receiving notice of 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.

Use of defective or unguarded machinery prohibited.

SEC. 2. That section 4 of said act be amended to read as follows: Sec. 4. It shall be the duty of the Commissioner of Labor, by himself or his duly appointed deputy, to examine as soon as may be after the passage of this act, and thereafter annually and 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 act are applicable for the purpose of determining whether they do conform to such provisions, and of granting or refusing certificates of approval, whether requested to do so or not.

Examination of factories, mills, etc.

SEC. 3. That section 5 of said act be amended to read as follows: Sec. 5. Any person, firm, corporation or association carrying on business to which the provisions of this act are applicable, shall have the right to make written request to said Commissioner of Labor 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 to issue his certificate of approval thereof; and said Commissioner of Labor by himself, or his deputy, shall forthwith make said inspection. Upon receiving such application, the Commissioner of Labor shall issue to the person making the same, an acknowledgment that such certificate has been applied for, and thirty days after such acknowledgment, by

Requests for inspection.

said Commissioner of Labor, and pending the granting of such certificate, such acknowledgment shall have the same effect as such certificate, till the granting of such certificate by said Commissioner of Labor: *Provided*,. Said applicant has not been notified by an inspector what alterations or repairs are necessary; *Provided*, The Commissioner of Labor by himself or deputy shall make such examination annually whether requested to do so or not.

SEC. 4. That section 7 of said act be amended to read as follows: Sec. 7. Whenever upon examination or re-examination of any factory, mill or workshop, store or building, or the machinery or appliances therein to which the provisions of this act are applicable, the property so examined and the machinery and appliances therein conform in the judgment of said Commissioner of Labor to the requirements of this act, he shall thereupon issue to the owner, lessee or operator of such factory, mill or workshop or to the owner, lessee or occupant of any such storehouse, wareroom or store, a certificate to that effect, and such certificate shall be *prima facie* evidence as long as it continues in force of compliance on the part of the person, firm, corporation or association to whom it is issued, with the provisions of this act. Such certificate may be revoked by said Commissioner of Labor at any time upon written notice to the person, firm, corporation or association holding the same, whenever in his opinion after re-examination, conditions and circumstances have so changed as to justify the revocation thereof. A copy of said certificate shall be kept posted in a conspicuous place on every floor of all factories, mills, workshops, storehouses, ware-rooms or store to which the provisions of this act are applicable. If, in the judgment of said Commissioner of Labor, such factory, mill or workshop, or the machinery and appliances therein contained, or such storehouse, ware-room or store does not conform to the requirements of this act, he shall forthwith, personally or by mail, serve on the person, firm, corporation or association operating or using such machinery or appliances, or occupying such premises, a written statement of the requirements of said Commis-

Certificate  
of inspec-  
tion.

Effect of  
certificate.

Certificate  
shall be  
posted.

Service of  
statement  
of require-  
ments.

sioner of Labor, before he will issue a certificate as hereinbefore provided for; said requirements shall be complied with, within a period of thirty days after said requirements have been served as aforesaid and thereupon the said Commissioner of Labor shall forthwith issue such certificate; but if the person, firm or corporation operating or using said machinery and appliances or occupying such premises shall consider the requirements of said Commissioner of Labor unreasonable and impracticable or unnecessarily expensive, he may within ten days after the requirements of said Commissioner of Labor have been served upon him appeal therefrom or from any part thereof, to three arbitrators to whom shall be submitted the matter and things in dispute, and their findings shall be binding upon said applicant and upon the Commissioner of Labor. Such appeal shall be in writing, addressed to the Commissioner of Labor and shall set forth the objections to his requirements, or any part thereof, and shall mention the name of one person who will serve as the representative of said applicant calling for arbitration. Immediately upon the receipt of such notice of appeal, it shall be the duty of the Commissioner of Labor to appoint a competent person as arbitrator resident in the county from which such appeal comes, and to notify such person so selected, and also the party appealing stating the cause of the arbitration, and the place, date and time of meeting. These two arbitrators shall select the third, and as soon thereafter as practicable, give a hearing on the matters of said appeal, and the findings of these arbitrators by a majority vote, shall be reported to the Commissioner of Labor, and to the applicant, and shall be binding upon each. The expense of such arbitration shall be borne by the party calling for the arbitration; and if said arbitrators sustain the requirements of said Commissioner of Labor or any part thereof, said applicant shall within thirty days, comply with the findings of said arbitrators, and thereupon said Commissioner of Labor shall issue his certificate as hereinbefore provided (in section four of this act), but if said arbitrators shall sustain such appeal or

Appeal.

Duty of  
Commis-  
sioner on  
appeal.

Arbitration.

Expense of.

any part thereof, the same shall be binding upon said Commissioner of Labor; and any such person, firm, corporation or association shall within thirty days, after the finding of the board of arbitrators, comply with the requirements of the Commissioner of Labor, as amended by said arbitrators, if so amended as herein provided for, and thereupon said Commissioner of Labor shall forthwith issue to any such person, firm, corporation or association, his certificate as provided for in section four of this act: *Provided, however,* That before any certificate shall be issued by said Commissioner of Labor as provided for in this act, the person, firm, corporation or association which has complied with the provisions of this act, shall pay to the Commissioner of Labor of the State of Washington, an annual fee of ten dollars (provided that any person, firm, corporation or association, employing not to exceed five persons in said factory, mill or workshop shall pay a fee of five dollars), and take his receipt therefor; *It is further provided,* That the withholding of such certificate shall not excuse such person, firm, corporation or association from obtaining the same and paying the required inspection fee, and the person, firm, corporation or association inspected shall likewise be civilly liable for such inspection fee.

Annual fee  
for certifi-  
cate.

Upon presentation of said receipt to said Commissioner of Labor, or his deputy, he shall forthwith issue said certificate as in this act provided. Said fee shall entitle the person, firm, corporation or association paying the same, to any and every inspection of any factory, mill, workshop, storehouse, wareroom or store, and the machinery and appliances contained therein, owned and operated by the party paying said fee, that may be necessary, for a period of one year subsequent to its payment; and all moneys collected for licenses and fines, under the provisions of this act, shall be paid into the State treasury and be converted into a special factory inspection fund, from which special fund shall be paid the deputy factory inspectors required to enforce the provisions of this act. Said deputy factory inspectors shall be paid from the special factory inspec-

Salary of  
deputies—  
how paid.

tion fund, upon the presentation of vouchers properly signed by the Labor Commissioner in the same manner in which other employes of the State are paid.

SEC. 5. That section 11 of said act be amended to read as follows. Sec. 11. Any person, firm, corporation or association who violates or fails to comply with any of the provisions of this act or to pay for and obtain the certificate of inspection 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. Penalty.

Passed the Senate March 5th, 1907.

Passed the House March 12th, 1907.

Approved by the Governor March 15th, 1907.

## CHAPTER 206.

[S. B. 187.]

### AMENDING ACT PROVIDING FOR ASSESSMENT AND COLLECTION OF TAXES.

AN ACT amending an act to provide for the assessment and collection of taxes in the state of Washington, approved March 15, 1897, by amending section 94 of chapter LXXI, Session Laws of 1897, and declaring an emergency.

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

SECTION 1. That section 94 of an act entitled "An Act to provide for the assessment and collection of taxes in the State of Washington," is hereby amended to read as follows: Sec. 94. Any day, after the expiration of twelve months after the taxes charged against real property are delinquent, the treasurer shall have the right, and it shall be his duty, upon demand and payment of the taxes and interest, to make out and issue a certificate or certificates of delinquency against such property, and such certificate or certificates shall be numbered and have a stub, which shall be a summary of the certificate and shall contain a statement: 1. Description of the property assessed. 2. Contents. Certificates of delinquency.