

CHAPTER 210.

[H. B. 63.]

EXTRA-HAZARDOUS EMPLOYMENTS.

AN ACT relating to extra-hazardous employments and to the compensation and remedies of workmen injured therein, and of their dependents and beneficiaries in case of death; and amending section 2, chapter 74, Laws of 1911, as last amended by section 1, chapter 41, Laws of 1939 (section 7674 of Remington's Revised Statutes).

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

Amendments. SECTION 1. That section 2, chapter 74, Laws of 1911, as last amended by section 1, chapter 41, Laws of 1939 (section 7674 of Remington's Revised Statutes) be amended to read as follows:

Intent declared.

Section 2. There is a hazard in all employment, but certain employments have come to be, and to be recognized as being inherently constantly dangerous. This act is intended to apply to all such inherently hazardous works and occupations, and it is the purpose to embrace all of them, which are within the legislative jurisdiction of the state, in the following enumeration, and they are intended to be embraced within the term "extra-hazardous" wherever used in this act, to-wit:

Extra-hazardous occupations enumerated.

Factories, mills and workshops where machinery is used; printing, electrotyping, photo-engraving and stereotyping plants where machinery is used; foundries, blast furnaces, mines, wells, gas-works, waterworks, reduction works, breweries, elevators, wharves, docks, dredges, smelters, powder works; laundries operated by power; quarries, engineering works; logging, lumbering and shipbuilding operations; logging, street and interurban railroads; buildings being constructed, repaired, moved or demolished; telegraph, telephone, electric light or power plants or lines, steam heating or power plants, steamboats, tugs, ferries and railroads; installing and

servicing radios and electrical refrigerators; general warehouse and storage; teaming, truck driving and motor delivery, including drivers and helpers, in connection with any occupation except agriculture; stage, taxicab and for hire car driving; restaurants, taverns, clubs and establishments except private boarding houses, serving food or drink to the public or to members for consumption on the premises; bunk houses, kitchens and eating houses in connection with extra-hazardous occupations or conducted primarily for employees in extra-hazardous occupations; transfer, drayage and hauling; warehousing and transfer; fruit warehouse and packing houses. If there be or arise any extra-hazardous occupation or work other than those hereinabove enumerated, it shall come under this act, and its rate of contribution to the accident fund hereinafter established shall be, until fixed by legislation, determined by the department hereinafter created, upon the basis of the relation which the risk involved bears to the risk classified in section 7676 of Remington's Revised Statutes: *Provided, however,* The following operations shall not be deemed extra-hazardous within the meaning, or be included in the enumeration of this section, to-wit: Using power-driven coffee grinders in wholesale or retail grocery stores; using power-driven washing machines in establishments selling washing machines at retail; using computing machines in offices; using power-driven taffy pullers in retail candy stores; using power-driven milk shakers in establishments operating soda fountains; using power-driven hair cutters in barber shops; using power-driven machinery in beauty parlors; using power-driven machinery in optical stores.

Extra-hazardous occupations.

Application to others arising.

Exceptions.

The Director of Labor and Industries through and by means of the Division of Industrial Insurance shall have power, after hearing had upon its own mo-

Director may declare.

Director
may classify
after hearing.

Notice of
hearing.

Order
subject to
review.

tion or upon the application of any party interested, to declare any occupation or work to be extra-hazardous and to be under this act. The Director of Labor and Industries shall fix the time and place of such hearing and shall cause notice thereof to be published once at least ten (10) days before the hearing in at least one (1) daily newspaper of general circulation, published and circulated in each city of the first-class of this state. No defect or inaccuracy, in such notice or in the publication thereof, shall invalidate any order issued by the Director of Labor and Industries, after hearing had. Any person affected shall have the right to appear and be heard at any such hearing. Any order, finding or decision of the Director of Labor and Industries made and entered under the foregoing provisions of this act shall be subject to review within the time and in the manner specified in section 7697 of Remington's Revised Statutes, and not otherwise.

Passed the House March 2, 1943.

Passed the Senate March 9, 1943.

Approved by the Governor March 20, 1943.