

- 1 Introduced by Mr. McShane, March 5, 1907.
- 2 Read first time, ordered printed and referred to Committee on Labor and Manufac-
tures.

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, joint-
3 ers, sand paper machines and iron mangles, ovens, furnaces, stoves, forges and
4 rollers of metal, and all set screws, drums and machinery, including belts, cogs,
5 gearing, belting, shafting, cables and fly wheels, flying shuttles and hydro extrac-
6 tors, laundry machinery, mill gearing and machinery of every description, all
7 electrical dynamos and other electrical apparatus and appliances; all vats, pans
8 or other structures filled with molten metal or hot or corrosive liquids, in any
9 factory, mercantile establishment, mill or workshop, shall be so located as not to
10 be dangerous to workmen, and shall be properly guarded, fenced or otherwise pro-

11 tected. All dangerous places in or about mercantile establishments, factories,
 12 mills or workshops, near to which any employe is obliged to pass, or to be em-
 13 ployed shall be secured, fenced, enclosed or otherwise protected. *No machine in*
 14 any factory, mercantile establishment, mill or workshop, shall be used when the
 15 same is known to be cracked or otherwise defective; and no repairs shall be made
 16 to any machine while 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 be
 5 promptly replaced.

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

Sec. 4. All hoist ways, hatch ways, elevator wells and wheel holes in fac-
 2 tories, mercantile establishments, mill and 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 same
 5 open, in order that the said hatch ways, elevators or hoisting apparatus may be
 6 used. All elevator cabs or cars, whether used for freight or passengers, shall be
 7 provided with some suitable mechanical device, whereby the car or cab shall be
 8 securely held in the event of accident to the shipper rope or hoisting machinery,
 9 or controlling apparatus.

Sec. 4 (a). In every factory, mercantile establishment, mill or workshop, in which the machinery is propelled by steam or other mechanical power, communication shall be provided between each room in which machinery is placed, and the room in which the engineer is situated; such communication to be by means of speaking tubes, electric bells, colored lights, or some other approved and effective means of communication, convenient to the operator of any such machine, in order that in case of need or accident, the motive power of such factory, mercantile establishment, mill or workshop shall be effectively stopped or controlled.

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

Sec. 6. That every person, firm or corporation employing females in any factory, mercantile establishment, mill or workshop, in this State, shall provide a suitable seat for the use of each female employe, and shall permit the use of such seat by them when they are not necessarily engaged in the active duties for which they are employed, and shall permit the use of such seats at all times when such use would not actually and necessarily interfere with the proper discharge of the duties of such employes, and such seat shall be made a permanent fixture and shall be so constructed or adjusted where practicable, that when said seat is not in use it shall not obstruct such female when actually engaged in the performance of her duties.

Sec. 7. No person being the owner, proprietor, lessee, manager or superintendent of any factory, mercantile establishment, mill or workshop, shall cause, permit or allow the same, or any portion or apartment thereof, or any room in such factory, mercantile establishment, mill or workshop to be overcrowded, or inadequate, faulty or insufficient in respect to light, ventilation, heat, cleanliness, drainage and thoroughly sanitary condition.

In every place mentioned in paragraph one (1) of this section, where the lack of sufficient natural light makes necessary the use of artificial light, such light shall be properly shaded.

In every place mentioned in paragraph one (1) of this section, where one or more persons are employed as aforesaid, at least five hundred cubic feet of air shall be provided for each and every person employed therein, and fresh air supplied by ventilation at the rate of four complete changes of air per hour during the hours of employment, in such a way as not to inconvenience or jeopardize the health of any employe. All such places shall be thoroughly aired before beginning the work for the day and during every recess. No part of such air supply shall be taken from any cellar or basement. All factories, mercantile establishments, mills or workshops shall be kept free from any gas or effluvia arising from any sewer, drain, privy, or other nuisance, and exhaust fans of sufficient power or other sufficient devices shall be provided for the purpose of carrying off poisonous fumes, gases and dust.

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

27 All decomposable, putrescent, fermentable matter and all refuse, waste and
 28 sweepings shall be daily removed and disposed of in such manner as not to cause
 29 a nuisance, and all cleaning must be done, as far as possible, outside of working
 30 hours, but if done during working hours it shall be done in such a manner as to
 31 avoid the raising of dust. In every factory, mercantile establishment, mill or work-
 32 shop, in which any process is carried on which renders the floor liable to be wet,
 33 the floor shall be so constructed and maintained as to be impermeable to liquids,
 34 and adequate means shall be provided for drainage.

Sec. 8. In all factories, mercantile establishments, mills or workshops, proper
 2 and sufficient means of escape in case of fire shall be provided by more than
 3 one way of egress, and such means of escape shall at all times be kept free from
 4 any obstruction, and shall be kept in good repair and ready for use, and shall
 5 be plainly marked as for such purpose, and all employes shall, before entering
 6 upon their employment, be instructed in the location and use of the same.

7 All doors leading in or to such factories, mercantile establishments, mills or
 8 workshops, shall be so constructed as to open outward, except when sliding doors
 9 are provided, and in all cases shall not be locked, bolted or fastened during work-
 10 ing or meal hours, so that they may be easily and immediately opened from
 11 within.

12 Proper and substantial hand rails shall be provided on all stairways in fac-
 13 tories, mercantile establishments, mills or workshops, and the treads shall be so
 14 constructed or covered as to furnish a firm foothold; and where females are em-
 15 ployed, the stairs regularly used by them shall be properly screened at the sides.

Sec. 9. In all factories, mercantile establishments, mills and workshops, a
 2 proper light shall be kept burning by the owner or lessee, in all hallways, at all

3 stairs and shafts, and in front of all passenger or freight elevators, upon the en-
4 trance floor and upon the other floors, on every work-day of the year, from the
5 time when the building is opened for use until the time it is closed; except at times
6 when the influx of natural light shall make artificial light unnecessary; and where
7 factories, mercantile establishments, mills and workshops generate their own light,
8 the lights required by this section shall be connected with some independent
9 source of light, which would be automatically turned on in case the power plant
10 of such factories, mercantile establishments, mills or workshops be accidentally
11 stopped or impaired.

Sec. 10. No floor space of any workroom in any factory, mercantile establish-
2 ment, mill or workshop, shall be so crowded with machinery as thereby to cause
3 serious risk to, or endanger the life or limb of any employe, nor shall there be
4 in any such establishment a load in excess of the sustaining power of the floors
5 and walls thereof.

Sec. 11. Every factory, mercantile establishment, mill or workshop in which
2 five (5) or more persons are employed, shall be provided with a sufficient number
3 of water closets, earth closets or privies, within reasonable access, for the use of
4 the persons employed therein. And whenever male and female persons are em-
5 ployed together, said water closets and privies shall be provided separate and
6 apart for the use of each sex, in the proportion of at least one (1) to every twenty-
7 five (25) persons, and plainly marked by which sex they are to be used, and no
8 person or persons shall be allowed to use such closets or privies, as are assigned
9 to the other sex. Such closets or privies shall be constructed in an approved man-
10 ner, and properly screened and ventilated, and at all times be kept in a clean
11 and thoroughly sanitary condition; and no water closet, earth closet, privy or ash

12 pit shall be within or communicate directly with, or be kept or maintained im-
13 mediately adjacent to the bakerooms of any bakery, or the kitchen of any restau-
14 rant or eating place. In factories, mercantile establishments, mills and work-
15 shops, adequate washing facilities shall be provided for all employes; and where
16 the labor performed by the employes is of such a character as to require or make
17 necessary a change of clothing, wholly or in part, by the employes, there shall
18 be provided a dressing room or rooms, lockers for keeping clothing, and suitable
19 washing facilities separate for each sex, and no person or persons shall be allowed
20 to use the facilities assigned to the opposite sex.

Sec. 11 (a). 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 or
4 noxious fumes, dusts or gases are present. Employes shall not remain in any
5 such room during the time allowed for meals, and suitable provisions shall be
6 made and maintained for enabling the employes to take their meals elsewhere in
7 such establishment.

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

Sec. 12. All the inside walls of the rooms of a factory, mill or workshop,
2 and all the ceilings, whether these ceilings or walls are plastered or not, and all
3 the passage ways and staircases, if they have not been painted with oil or var-
4 nish, once at least within seven years, shall be lime washed once at least within
5 every twelve months; and if they have been so painted or varnished, they shall
6 be washed with hot water and soap once at least within every twelve months.
7 Record of these paintings and washings shall be kept in the register of the fac-
8 tory open to the inspection of the State Factory Inspector.

Sec. 13. 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 space
 4 over which any person is liable to pass, whether in the course of his employment
 5 or otherwise. And no female under the age of eighteen shall be allowed to work
 6 between the fixed and traversing parts of any self-acting machine, while the ma-
 7 chine is in motion by the action of steam, water or other mechanical power.

Sec. 14. It shall be the duty of every owner, lessee or manager of any prem-
 2 ises, to which the provisions of this Act may apply, to carry out the same and
 3 to make all the changes and additions necessary therefor, and in every way to
 4 comply with all the provisions of this Act. When such changes are made by a
 5 lessee, as required by sections _____ of this Act, in any factory, mercan-
 6 tile establishment, mill or workshop, existing in this State at the time
 7 of the taking effect of this Act in order to make such factory, mercantile
 8 establishment, mill or workshop comply herewith, said lessees may at any time
 9 within ninety days after the completion thereof, bring an action against any
 10 person, corporation, or partnership owning or having an interest in such prem-
 11 ises, and recover such proportion of the expense of making such changes and ad-
 12 ditions as the court adjudges should justly and equitably be borne by such defen-
 13 dant.

Sec. 15. Whenever, by the provision of this Act, it is made the duty of any
 2 person, firm or corporation within this State, to make or install any machinery,
 3 appliances, devices, safeguards, equipment, apparatus, alterations, additions or
 4 changes, to comply with the provisions of this Act, the same shall be made and
 5 installed subject to the approval of the Chief State Factory Inspector.

Sec. 16. It shall be the duty of the owner or lessee or superintendent of any
 2 factory, mercantile establishment, mill or workshop in this State, or in the ab-
 3 sence of the owner, lessee or superintendent, it shall be the duty of the person in
 4 charge of such factory, mercantile establishment, mill or workshop, to immedi-
 5 ately report in writing to the Chief State Factory Inspector at the office of the Chief
 6 State Factory Inspector, all accidents or injuries sustained by any person or per-
 7 sons in any such factory, mercantile establishment, mill or workshop in this State,
 8 giving the name, address, sex and age of the person so injured, and stating as
 9 fully as possible the time, character, extent and cause of the accident or injury,
 10 and place to which the injured person has been taken, and the names of witnesses
 11 of the accident; and in all cases of accident or injury, where the services of a phy-
 12 sician have been required, there shall be added or attached to the aforesaid re-
 13 port, a certificate signed by the attending physician, indicating the state of the in-
 14 jury, the probable consequences thereof, and the time when a definite and final
 15 diagnosis of the extent and nature of the injury may be given.

16 In all fatal accidents notice thereof shall be given at once to the office of the
 17 Chief State Factory Inspector by telephone or telegraph.

18 And in all accidents the Chief State Factory Inspector or his deputy may sub-
 19 poena witnesses, administer oaths, and do whatever may be necessary in order to
 20 make a thorough and complete investigation of the same, and keep a complete
 21 record thereof; and it shall be the duty of the State Factory Inspector to require
 22 such precautions to be taken in conformity with the provisions of this Act, as may
 23 be necessary to prevent the happening of a similar accident in any factory, mer-
 24 cantile establishment, mill or workshop, in this State: *provided, however, That*
 25 the provisions of this section shall ~~not~~ be construed as interfering with the duties
 26 of coroners, under existing laws.

Sec. 17. When a factory inspector, in connection with his visits, or inspection
2 of, any factory, mercantile establishment, mill or workshop, building, or public or
3 private works, finds on the part of the persons owning, operating or managing
4 the same, any violation, default, or omission covered by the local ordinance of any
5 city, town or village, provided for the protection of employes, and not covered
6 by this Act, the said inspector shall give written notice of said Act, omission or
7 default to the proper local municipal authority or department.

Sec. 18. It shall be the special duty of the Chief State Factory Inspector, and
2 of the Assistant State Factory Inspector, and deputy factory inspectors, under the
3 direction and supervision of the Chief State Factory Inspector, to enforce the
4 provisions of this Act and to prosecute all violations of the same before any mag-
5 istrate or any court of competent jurisdiction in this State. And for that pur-
6 pose they and each of them are hereby empowered to visit and inspect at all rea-
7 sonable times, and as often as shall be necessary, all such factories, mercantile
8 establishments, mills and workshops, in this State, and in the enforcement of the
9 provisions of this Act, the Chief State Factory Inspector and the Assistant Fac-
10 tory Inspector and the deputy factory inspectors, under the direction and super-
11 vision of the Chief State Factory Inspector, shall give proper notices or orders in
12 regard to any violation of this Act, to the person or persons owning, operating
13 or managing any such factory, mercantile establishment, mill or workshop. Such
14 notices or orders shall be written or printed and signed officially by the Chief
15 State Factory Inspector, Assistant Factory Inspector, or one of the deputy factory
16 inspectors; and said notices may be served by delivering the same to the person
17 upon whom service is to be made, or by leaving at his usual place of abode or busi-
18 ness an exact copy thereof, or by sending a copy thereof to such persons by United
19 States mail, properly stamped and registered. Notice to one member of a firm

20 shall be notice to every member thereof, and notice to the president, secretary, or
21 treasurer, or manager, or agent, or superintendent of a corporation shall be notice
22 to such corporation.

Sec. 19. Any firm or corporation shall, or any agent, manager, or superin-
2 tendent of any firm or corporation, who for himself or for such firm or corpora-
3 tion shall directly or indirectly violate any of the provisions of this Act, or who
4 omits or fails to comply with any of the foregoing requirements of this Act, or
5 who disregards any orders, notices, or requirements of the State Factory Inspec-
6 tor, or of a deputy factory inspector, when said order or notice is made in accord-
7 ance with the provisions of this Act; or who obstructs or interferes with any
8 examination or investigation being made by a factory inspector, shall be deemed
9 guilty of a misdemeanor and on conviction thereof shall be punished for the
10 first offense by a fine of not less than ten dollars (\$10.00) nor more than one
11 hundred dollars (\$100.00) and shall stand committed until such fine and costs
12 are paid; and upon conviction of the second or subsequent offense, shall be fined
13 not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00),
14 or by imprisonment for not less than ten days nor more than sixty days, or by
15 both fine and imprisonment in the discretion of the court.

Sec. 20. The following terms used in this Act shall have the following mean-
2 ing: The term "factory" means any premises wherein electricity, steam, water
3 or other mechanical power is used to move or work any machinery employed in
4 preparing, manufacturing or finishing, or in process incident to
5 the manufacturing of any article or part of any article;
6 or the altering, repairing, ornamenting or the adapting for sale
7 of any article. The term "mill or workshop" shall include any premises, room

8 or place not being a factory as above defined, wherein any labor is exercised by
 9 way of trade or for purpose of gain in or incidental to any process of making,
 10 altering, preparing, cleaning, repairing, ornamenting, finishing or adapting for
 11 sale any article or part of any article, and to which or over which building, prem-
 12 ises, room or place the employer of the persons employed or working therein has
 13 the right of access or control: *Provided, however,* That the exercise of such manual
 14 or other labor in a private house or a private room by a family dwelling therein,
 15 or by any of them shall not of itself constitute such house or room a mill or work-
 16 shop within this definition. The term "mercantile establishment" shall include
 17 all concerns or places where any goods, wares or merchandise are purchased or
 18 sold, either at wholesale or retail. The term "mill gearing" shall include every
 19 shaft, whether upright, oblique or horizontal, and every wheel, drum or pulley or
 20 other appliance by which the motion of the first motive power is communicated
 21 to any machine appertaining to a manufacturing process. The term "Factory In-
 22 spector" shall be construed to mean the Chief State Factory Inspector. The term
 23 "Deputy Factory Inspector" shall be construed to mean the Assistant State Fac-
 24 tory Inspector, or any of the deputy factory inspectors provided for by law.

Sec. 21. A copy of this Act together with the name and address of the Chief
 2 State Factory Inspector, shall be printed in English, and may be printed in any
 3 foreign language: *Provided,* That the State Factory Inspector shall supply copies
 4 of this Act upon application, and such printed copy shall be conspicuously posted
 5 in the office and in the work rooms of every establishment covered by the pro-
 6 visions of this Act.

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