

# MINNESOTA STATUTES 1945 ANNOTATIONS

175.01 DEPARTMENT OF LABOR AND INDUSTRY

1022

## CHAPTER 175

### DEPARTMENT OF LABOR AND INDUSTRY

#### 175.01 DEPARTMENT ESTABLISHED.

HISTORY. 1887 c. 115 s. 1; 1893 c. 6 ss. 1, 7; G.S. 1894 ss. 469, 475; R.L. 1905 s. 1789; 1913 c. 518 s. 1; G.S. 1913 s. 3812; 1921 c. 81 s. 1; G.S. 1923 s. 4032; M.S. 1927 s. 4032.

The award of the industrial commission is without prejudice to an application to the commission to amend its order so that relator may receive the \$960.00 appropriated, but no more. *Wolner v State*, 213 M 96, 5 NW(2d) 67.

Since the supreme court of the United States in *West Coast Hotel Co. v Parrish* reversed its decision in *Adkins v Children's Hospital*, the entire Minnesota act covering minimum wages of women and children is legal and enforceable. 1938 OAG 53, April 16, 1937 (86a).

#### 175.02 INDUSTRIAL COMMISSION.

HISTORY. 1887 c. 115 s. 1; 1893 c. 6 ss. 1, 7; G.S. 1894 ss. 469, 475; R.L. 1905 s. 1789; 1913 c. 518 s. 1; G.S. 1913 s. 3812; 1921 c. 8 s. 1; 1923 s. 4033; M.S. 1927 s. 4033.

#### 175.03 DEPARTMENT CONTINUED.

HISTORY. 1925 c. 426 art. 12 s. 1; M.S. 1927 s. 53-37.

#### 175.04 DIVISION OF STANDARDS; CHIEF BOILER INSPECTOR; DAIRY AND FOOD INSPECTORS; RULES AND REGULATIONS.

HISTORY. 1925 c. 426 art. 12 s. 2; M.S. 1927 s. 53-38.

#### 175.05 SALARIES; CHAIRMAN.

HISTORY. 1887 c. 115 s. 5; 1893 c. 6 ss. 1, 7, 9, 10; G.S. 1894 ss. 469, 475, 477, 478; R.L. 1905 s. 1797; 1913 c. 518 s. 2; G.S. 1913 s. 3815; 1921 c. 81 s. 3; G.S. 1923 s. 4034; M.S. 1927 s. 4034.

Evidence before administrative tribunals. 23 MLR 81.

#### 175.06 GOVERNOR MAY REMOVE.

HISTORY. 1887 c. 115 s. 5; 1893 c. 6 ss. 1, 7, 9, 10; G.S. 1894 ss. 467, 475, 477, 478; R.L. 1905 s. 1797; 1913 c. 518 s. 2; G.S. 1913 s. 3815; 1921 c. 81 s. 4; G.S. 1923 s. 4035; M.S. 1927 s. 4035.

#### 175.07 COMMISSIONERS OR EMPLOYEES NOT TO TAKE PART IN POLITICAL CAMPAIGNS.

HISTORY. 1921 c. 81 s. 5; G.S. 1923 s. 4036; M.S. 1927 s. 4036.

#### 175.08 OFFICE.

HISTORY. 1887 c. 115 s. 1; 1893 c. 6 ss. 1, 7; G.S. 1894 ss. 469, 475; R.L. 1905 s. 1789; 1913 c. 518 s. 1; G.S. 1913 s. 3812; 1921 c. 8 s. 1; G.S. 1923 s. 4037; M.S. 1927 s. 4037.

An action against members of the state industrial commission to compel reinstatement of a dismissed employe is triable in Ramsey County where the

# MINNESOTA STATUTES 1945 ANNOTATIONS

1023

DEPARTMENT OF LABOR AND INDUSTRY 175.19

commission maintains its office State ex rel v District Court, 206 M 54, 287 NW 601.

## 175.09 QUORUM.

HISTORY. 1921 c. 81 s. 7; G.S. 1923 s. 4038; M.S. 1927 s. 4038.

## 175.10 SESSIONS TO BE PUBLIC.

HISTORY. 1921 c. 81 s. 8; G.S. 1923 s. 4039; M.S. 1927 s. 4039.

## 175.11 SEAL; CERTIFIED COPIES.

HISTORY. 1921 c. 81 s. 9; G.S. 1923 s. 4040; M.S. 1927 s. 4040.

## 175.12 SECRETARY.

HISTORY. 1913 c. 518 s. 4; G.S. 1913 s. 3815; 1921 s. 81 s. 10; G.S. 1923 s. 4041; M.S. 1927 s. 4041.

## 175.13 DIVISION HEADS, ASSISTANTS.

HISTORY. 1887 c. 115 s. 1; 1893 c. 6 ss. 1, 7; G.S. 1894 ss. 469, 475; R.L. 1905 s. 1789; 1913 c. 518 s. 1; G.S. 1913 s. 3812; 1921 c. 8 s. 1; G.S. 1923 s. 4042; M.S. 1927 s. 4042.

Where the members of the industrial commission are equally divided in opinion on an appeal from a referee's decision awarding compensation to an injured employee, an affirmance of the referee's decision occurs by operation of law. *Barlau v Mpls.-Moline*, 214 M 568, 9 NW(2d) 6.

## 175.14 TRAVELING EXPENSES.

HISTORY. 1887 c. 115 s. 5; 1893 c. 6 ss. 1, 7, 8, 9; G.S. 1894 ss. 469, 475, 477, 478; R.L. 1905 s. 1797; 1913 s. 518 s. 2; G.S. 1913 s. 3815; 1921 c. 81 s. 4; G.S. 1923 s. 4043; M.S. 1927 s. 4043.

## 175.15 POWERS OF DEPARTMENT TRANSFERRED TO COMMISSION.

HISTORY. 1921 c. 81 s. 13; G.S. 1923 s. 4044; M.S. 1927 s. 4044.

## 175.16 DIVISIONS.

HISTORY. 1888 c. 115 s. 1; 1893 c. 6 s. 1; G.S. 1894 s. 469; R.L. 1905 s. 1789; 1907 c. 180; 1909 c. 497; 1913 c. 518 s. 1; G.S. 1193 s. 3812; 1921 c. 81 s. 14; G.S. 1923 s. 4045; M.S. 1927 s. 4045.

## 175.17 POWERS AND DUTIES.

HISTORY. 1893 c. 6 ss. 2, 4, 5; 1893 c. 7 s. 11; G.S. 1894 ss. 470, 472, 473, 2258; 1899 c. 148; R.L. 1905 s. 1791; 1913 c. 518 s. 8; G.S. 1913 s. 3819; 1921 c. 81 s. 15; G.S. 1923 s. 4046; M.S. 1927 s. 4046.

Strikes and boycotts; right to picket in non-labor disputes 19 MLR 817.

## 175.18 QUALIFICATIONS OF INSPECTORS.

HISTORY. 1893 c. 6 s. 1; G.S. 1894 s. 469; R.L. 1905 s. 1789; 1909 c. 497; 1913 c. 518 s. 3; G.S. 1913 s. 3814; G.S. 1923 s. 4048; M.S. 1927 s. 4048.

## 175.19 DEFINITIONS.

HISTORY. 1893 c. 7 s. 17; G.S. 1894 s. 2264; R.L. 1905 s. 1790; 1913 c. 518 s. 7; G.S. 1913 s. 3818; G.S. 1923 s. 4049; M.S. 1927 s. 4049.

# MINNESOTA STATUTES 1945 ANNOTATIONS

## 175.20 DEPARTMENT OF LABOR AND INDUSTRY

1024

Damages "caused by milldam" applies to flooding caused by a mill erected by a public service corporation *Zamani v Otter Tail Power Co.* 182 M 355, 234 NW 457.

The term "all places of employment" includes "engineering works". *Applequist v Oliver Mining Co.* 209 M 237, 296 NW 16.

Industrial commission has power to gather data and examine wage records of adult women. 1934 OAG 530, June 26, 1933.

### 175.20 ENFORCEMENT.

HISTORY. 1893 c. 6 ss. 2, 4, 5; 1893 c. 7 s. 11; G.S. 1894 ss. 470, 472, 473, 2758; 1899 c. 148; R.L. 1905 s. 1791; 1913 c. 518 s. 8; G.S. 1913 s. 3819; 1919 c. 110 s. 1; G.S. 1923 s. 4050; M.S. 1927 s. 4050.

The industrial commission has power to gather wage data and to examine wage records of adult women OAG June 26, 1933.

### 175.21 INDUSTRIAL COMMISSION TO MAKE STUDY OF CONDITIONS.

HISTORY. 1931 c. 5 s. 1; M. Supp. s. 4050-1.

### 175.22 MAY RECEIVE GIFTS.

HISTORY. 1931 c. 5 s. 2; M. Supp. s. 4050-2.

### 175.23 SUPERVISION OF FUNDS.

HISTORY. 1931 c. 5 s. 3; M. Supp. s. 4050-3.

### 175.24 DUTIES OF EMPLOYERS AND OTHERS TO MAKE REPORTS; PRESERVATION OF RECORDS.

HISTORY. 1893 c. 6 ss. 3, 6; 1893 c. 7 s. 13; G.S. 1894 ss. 471, 474, 2260; R.L. 1905 s. 1792; 1913 c. 518 s. 10; G.S. 1913 s. 3821; G.S. 1923 s. 4250; M.S. 1927 s. 4250.

### 175.25 PERSONS AGGRIEVED; POWERS OF DISTRICT COURT.

HISTORY. 1893 c. 7 s. 14; G.S. 1894 s. 2261; R.L. 1905 s. 1793; 1913 c. 518 s. 11; G.S. 1913 s. 3822; G.S. 1923 s. 4251; M.S. 1927 s. 4251.

### 175.26 VIOLATION OF LOCAL ORDINANCES.

HISTORY. 1893 c. 7 s. 12; G.S. 1894 s. 2259; R.L. 1905 s. 1794; 1913 c. 518 s. 12; G.S. 1913 s. 3823; G.S. 1923 s. 4252; M.S. 1927 s. 4252.

### 175.27 DISCLOSURE OF NAMES OF PERSONS GIVING INFORMATION; REFUSAL TO TESTIFY; DENYING ADMISSION.

HISTORY. 1893 c. 6 ss. 3, 5; G.S. 1894 ss. 471, 473; R.L. 1905 s. 1796; 1913 c. 518 s. 14; G.S. 1913 s. 3825; 1917 c. 14 s. 1; G.S. 1923 s. 4253; M.S. 1927 s. 4253.

### 175.28 REPORT OF ACCIDENTS.

HISTORY. 1893 c. 7 s. 9; G.S. 1894 s. 2256; R.L. 1905 s. 1821; G.S. 1913 s. 3891; G.S. 1923 s. 4193; M.S. 1927 s. 4193.

### 175.29 SCOPE OF REPORT.

HISTORY. 1909 c. 235; 1913 c. 416 s. 1; G.S. 1913 s. 3892; 1919 c. 359 s. 1; G.S. 1923 s. 4194; M.S. 1927 s. 4194.

The \$7,500 limitation on compensation for death is the total to be allowed in such cases; and where the widow is entitled to compensation up to that amount, nothing remains for any other dependants; in this case the decedent's

# MINNESOTA STATUTES 1945 ANNOTATIONS

1025

DEPARTMENT OF LABOR AND INDUSTRY 175.37

father, and they cannot come in and share in the \$7,500 or receive compensation in addition to that which the widow received. *Miller v Bohn*, 192 M 242, 255 NW 835.

Reports of accidents may not be disclosed to injured employee or his attorney. OAG June 15, 1932.

## 175.30 COPIES OF SETTLEMENT.

HISTORY. 1909 c. 235; 1913 c. 416 s. 2; G.S. 1913 s. 3893; 1919 c. 539 s. 1; G.S. 1923 s. 4195; M.S. 1927 s. 4195.

## 175.31 FAILURE TO REPORT.

HISTORY. 1909 c. 235; 1913 c. 416 s. 3; G.S. 1913 s. 3894; 1919 c. 359 s. 1; G.S. 1923 s. 4196; M.S. 1927 s. 4196.

## 175.32 REPORT NOT ADMISSIBLE IN EVIDENCE.

HISTORY. 1909 c. 235; 1913 c. 416 s. 4; G.S. 1913 s. 3895; 1919 c. 359 s. 1; G.S. 1923 s. 4197; M.S. 1927 s. 4197.

The prohibition against admitting reports into evidence applies only to those reports submitted to the industrial commission and not to reports submitted to insurance companies or others. *Hector v Butler*, 194 M 310, 260 NW 496.

## 175.33 PHYSICIANS TO REPORT CERTAIN CASES OF POISON TO THE INDUSTRIAL COMMISSION.

HISTORY. 1913 c. 21 s. 1; G.S. 1913 s. 3899; G.S. 1923 s. 4198; M.S. 1927 s. 4198.

## 175.34 FAILURE TO REPORT.

HISTORY. 1913 c. 21 s. 2; G.S. 1913 s. 3900; G.S. 1923 s. 4199; M.S. 1927 s. 4199.

## 175.35 ENFORCEMENT.

HISTORY. 1913 c. 21 s. 3; G.S. 1913 s. 3901; G.S. 1923 s. 4200; M.S. 1927 s. 4200.

## 175.36 CERTAIN RECORDS MAY BE DESTROYED.

HISTORY. 1939 c. 149; M. Supp. s. 4041-1.

## 175.37 COOPERATION WITH U. S.

HISTORY. 1941 c. 68.