

MINNESOTA STATUTES 1975 SUPPLEMENT

DEPARTMENT OF LABOR AND INDUSTRY 175.16

[For text of subs 4 to 6, see M.S.1974]

CHAPTER 175. DEPARTMENT OF LABOR AND INDUSTRY

Sec.		Sec.	
175.007	Advisory committee on workmen's compensation; creation.	175.19	Repealed.
175.08	Office.	175.20	Enforcement.
175.092	Temporary assignment of compensation judges as commission members.	175.21	Repealed.
	[New]	175.22	Repealed.
175.16	Divisions.	175.23	Repealed.
175.171	Powers and duties, department of labor and industry.	175.27	Disclosure of names of persons giving information; refusal to testify; denying admission; penalty.
175.18	Repealed.	175.28	Repealed.
		175.29	Repealed.
		175.30	Repealed.
		175.31	Repealed.
		175.32	Repealed.

175.007 Advisory committee on workmen's compensation; creation.

Subdivision 1. The commissioner of labor and industry shall appoint, after consultation with the workmen's compensation commissioners, an advisory committee on workmen's compensation, which shall consist of five representatives of employers and five representatives of employees and three members representing the general public. The workmen's compensation commissioners shall be nonvoting members of the advisory committee. The committee shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

[For text of subd 2, see M.S.1974]

Subd. 3. [Repealed, 1975 c 315 s 26]

[1975 c 315 s 13]

175.08 Office.

The workmen's compensation commission and the department of labor and industry shall maintain their main offices within the Minneapolis-Saint Paul metropolitan area and be provided by the commissioner of administration with suitable rooms and necessary furniture. They may hold sessions at any other place in the state when their convenience and that of the parties interested so requires.

[1975 c 348 s 1]

175.092 Temporary assignment of compensation judges as commission members.

In case of disqualification or illness of a workers' compensation commission member, the commissioner of the department of labor and industry may temporarily assign a compensation judge to take the place of the disqualified or ill workers' compensation commissioner during the period of such disqualification or illness. The compensation judge so temporarily assigned shall have the same powers and duties as other members of the commission during the period of such assignment.

[1975 c 359 s 2]

175.16 Divisions.

The department of labor and industry shall consist of the following divisions: division of workmen's compensation, division of boiler inspection, division of occupational safety and health, division of statistics, division of steam-fitting standards, division of voluntary apprenticeship, division of labor standards, and such other divisions as the commissioner of the department of labor and industry may deem necessary and establish. Each division of the department and persons in charge thereof shall be subject to the supervision of the commissioner of the department of labor and industry and, in addition to such duties as are or may be imposed on them by statute, shall perform such

MINNESOTA STATUTES 1975 SUPPLEMENT

175.16 DEPARTMENT OF LABOR AND INDUSTRY

other duties as may be assigned to them by said commissioner.

[1975 c 348 s 2]

175.171 Powers and duties, department of labor and industry.

The department of labor and industry shall have the following powers and duties:

(1) To exercise all powers and perform all duties of the department consistent with the provisions of this chapter;

(2) To adopt reasonable and proper rules and regulations relative to the exercise of its powers and duties, and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings, which shall not be effective until ten days after their adoption, and a copy of these rules and regulations shall be delivered to every citizen making application therefor;

(3) To collect, collate, and publish statistical and other information relating to the work under its jurisdiction, to keep records and to make public reports in its judgment necessary; and on or before October 1 in each even-numbered year the department shall report its doings, conclusions, and recommendations to the governor, which report shall be printed and distributed by November 15 of each even numbered year to the legislature pursuant to section 3.195, and otherwise as the department may direct;

(4) To establish and maintain branch offices as needed for the conduct of its affairs.

[1975 c 348 s 3]

175.18 [Repealed, 1975 c 348 s 6]

175.19 [Repealed, 1975 c 348 s 6]

175.20 Enforcement.

The commissioner or his authorized representative may enter and inspect places of employment, during normal working hours, and investigate facts, conditions, practices or matters as he deems appropriate to enforce the laws within his jurisdiction. The commissioner or his authorized representative may issue subpoenas, take testimony, compel the attendance of witnesses, and shall have authority to administer oaths and take testimony under oath, but no person shall be compelled to attend as a witness unless he is paid the fees provided for witnesses in the district court.

[1975 c 348 s 4]

175.21 [Repealed, 1975 c 348 s 6]

175.22 [Repealed, 1975 c 348 s 6]

175.23 [Repealed, 1975 c 348 s 6]

175.27 Disclosure of names of persons giving information; refusal to testify; denying admission; penalty.

Any employee of the department of labor and industry who shall disclose the names of any persons supplying information at the request of such department shall be guilty of a misdemeanor. Any person who, having been duly subpoenaed, shall refuse to attend or testify in any hearing under the direction of the department of labor and industry shall be guilty of a misdemeanor. Any owner or occupant of any place of employment who shall refuse to admit thereto any employee of the department seeking entrance in the discharge of his duties, shall be guilty of a misdemeanor. Any person, firm, or corporation, or any of its officers or agents, who or which shall refuse to file with the department such reports as are required by it under the provisions of sections 175.24 to 175.27 shall be guilty of a misdemeanor.

[1975 c 348 s 5]

MINNESOTA STATUTES 1975 SUPPLEMENT

WORKERS' COMPENSATION 176.041

- 175.28** [Repealed, 1975 c 348 s 6]
175.29 [Repealed, 1975 c 348 s 6]
175.30 [Repealed, 1975 c 348 s 6]
175.31 [Repealed, 1975 c 348 s 6]
175.32 [Repealed, 1975 c 348 s 6]

CHAPTER 176. WORKERS' COMPENSATION

Sec.		Sec.	
176.011	Definitions.	176.461	Setting aside award.
176.041	Excluded employments; application, exceptions.	176.511	Costs.
176.051	Assumption of liability.	176.541	State departments.
176.081	Legal services or disbursements; lien; review.	176.611	Maintenance of state compensation revolving fund.
176.101	Compensation schedule.	176.621	Repealed.
176.111	Dependents, allowances.	176.631	Repealed.
176.131	Subsequent disability, special fund.	176.645	Adjustment of benefits. [New]
176.132	Supplementary benefits.	176.82	Action for civil damages for obstructing employee seeking benefits. [New]
176.133	Attorneys fees, supplementary benefits.		
176.151	Time limitations.		

176.011 Definitions.

[For text of subs 1 to 19, see M.S.1974]

Subd. 20. Average weekly wage. The statewide average weekly wage for any year means that wage determined by the commissioner in the following manner: On or before July 1 preceding the year in which the wage is to be applicable, the total wages reported on contribution reports to the department of employment services for the preceding 12 months ending on December 31 of that year shall be divided by the average monthly number of insured workers (determined by dividing the total insured workers reported for the year ending December 31 by 12). The average annual wage thus obtained shall be divided by 52 and the average weekly wage thus determined rounded to the next highest dollar.

Subd. 21. Household worker. "Household worker" means one who is a domestic, repairman, groundskeeper, or maintenance worker in, for, or about a private home or household, but the term shall not include independent contractors nor shall it include persons performing labor for which they may elect workers' compensation coverage under section 176.012.

[1975 c 359 s 3,4]

176.041 Excluded employments; application, exceptions.

Subdivision 1. Employments excluded. This chapter does not apply to persons employed by any common carrier by railroad engaged in interstate or foreign commerce, which persons are covered by the Federal Employers' Liability Act (45 U.S.C. 51-60) or other comparable Federal law; persons employed by family farms, spouses, parents and children, regardless of their age, of a farmer employer working for him or on a family farm corporation as defined in section 500.24, subdivision 1, clause (c) or otherwise, or other farmers or members of their families exchanging work with the farmer employer in the same community, or persons whose employment at the time of the injury is casual, and not in the usual course of the trade, business, profession, or occupation of his employer; nor does it apply to officers or members of veteran's organizations whose employment relationship arises solely by virtue of attending meetings or conventions of their organization, unless such veteran's organizations elect by resolution to provide coverage under this chapter for such officers or members. Professional athletes under contract for hire are not subject to this