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HEALTH AND SAFETY ACT

and the

HEALTH AND SAFETY RULES

RULES A-M

of the

STATE OF ILLINOIS

COOK COUNTY
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RULES A-M

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HEALTH AND SAFETY ACT

(Ill. Rev. Stat. Ch. 48, §§ 137.1-137.21)

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§ 5. Effect of rules.
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AN ACT *relating to the health and safety of persons employed, vesting in the industrial commission power to make reasonable rules relating thereto; providing for the enforcement thereof; and repealing certain Acts herein named.*

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

[Industrial Commission to administer.] SECTION 1. The industrial commission is hereby vested with the power and authority to administer the provisions of this Act.

[Application of act.] § 2. This Act shall apply to all employers engaged in any occupation, business or enterprise in this State, and their employees, except as follows:

(a) Nothing contained in this Act shall be construed to apply to any work, employment or operations done, had or conducted by farmers and others engaged in farming, tillage of the soil or stock-raising, or to those who rent, demise or lease land for any such purposes, or to anyone in their employ, or to any work done on a farm or country place, no matter what kind of work or service is being done or rendered.

(b) Nothing contained in this Act shall be construed to apply to employers and employees in the coal mining industry.

[Rules to secure protection of employees.] § 3. It shall be the duty of every employer under this Act to provide reasonable protection to the lives, health and safety of all persons employed by such employer. The industrial commission shall, from time to time, make, promulgate and publish such reasonable rules as will effectuate such purposes.

Such rules shall be clear, plain and intelligible as to those affected thereby and that which is required of them, and each such rule shall be, by its terms, uniform and general in its application wherever the subject matter of such rule shall exist in any business, occupation or enterprise having employees.

Nothing in this Act shall be construed to grant to the industrial commission the power to make any rule which will require the submission of any plan, specifications or other information concerning any proposed installation, alteration, construction, apparatus or equipment, or in any manner regulate the hours of labor of any employee in this State.

[Nature of rules.] § 4. To effectuate the purposes stated in Section 3, the Industrial Commission shall make such rules only for:

(a) The proper sanitation and ventilation of all places of employment to guard against personal injuries and diseases.

(b) The arrangement and guarding of machinery and the storing and placing of personal property to guard against personal injuries and diseases.

(c) The prevention of personal injuries and diseases by contact with any poisonous or deleterious materials, dust, vapors, gases or fumes.

(d) The prevention of personal injuries and diseases caused by exposure to artificial atmospheric pressure.

(e) The construction, setting, placing, erecting and maintenance of scaffolds, platforms, or other similar frameworks.

[As amended by Act approved July 11, 1941.]

[Effect of rules.] § 5. Such rules of the industrial commission shall have the force and effect of the law.

[Advisory committees.] § 6. The industrial commission may appoint advisory committees to suggest rules or changes therein. Representation on such committees of employer and employee shall be equal.

[Proceedings to make rules—Hearings—Review.] § 7. The industrial commission, may, on its own initiative, or upon written petition, make, modify or repeal any rule or rules as provided in this Act, conforming with the following procedure:

(a) If the industrial commission shall resolve to institute such proceedings on its own initiative, it shall pass a resolution stating in simple terms the subject matter and purpose of such

hearing, and shall place such resolution on file, and the matter shall proceed to hearing and disposition upon such resolution as hereinafter provided.

Every petition for hearing upon rules filed with the industrial commission shall state, in simple terms, the subject matter and purpose for which such hearing is requested. Such petition shall be signed by five (5) employees or five (5) employers, or by a majority of employers, in a specified industry, and when such a petition is filed, the matter shall proceed to hearing and disposition upon such petition as hereinafter provided.

The industrial commission may, on its own motion, or the motion of any interested party, consolidate for joint hearing and joint disposition, any number of pending resolutions and petitions or related subject matters; provided, that the provisions of this Act as to notice of hearing shall be complied with as to each such petition or resolution so consolidated.

(b) When the industrial commission on its own initiative determines to consider any rule or rules, or when such a petition is filed, the commission shall set a date for a public hearing on such cause, not less than thirty (30) nor more than ninety (90) days after the date of the passage of the resolution by the commission of its intention to proceed on its own initiative, or after the filing of a petition, as the case may be.

(c) Notice of such hearings shall be given at least 30 days prior to the date of such hearing by publication in a newspaper of general circulation within the county in which the hearing is to be held, and by mailing notice thereof to any employer, and to any association of employers and to any association of employees who have filed with the industrial commission their names and addresses, requesting notice of such hearings, and stating the particular industry or industries concerning which they desire such notice. The notice of hearing shall state the time, place and subject matter of the hearing.

(d) Hearings shall be held in places reasonably convenient to the persons affected.

(e) At any such hearing, any interested party may submit any evidence pertinent to the subject matter of the hearing.

(f) The industrial commission or any member thereof, shall have the power to administer oaths in connection with any proceeding under this Act.

(g) Upon the conclusion of the hearing, the industrial commission shall enter in writing, its decision upon the subject matter of such hearing. Copies of the decision shall be mailed to interested parties whose name shall be on file with the commission, as hereinbefore provided, and a certified copy thereof shall be filed in the office of the Secretary of State at Springfield.

(h) Within thirty (30) days after the entry of a decision, rule or rules by the industrial commission, such commission may correct, modify or vacate such decision, rule or rules of its own motion, or upon written objection. Within such thirty (30) days, any person affected thereby may object in writing to the decision, rule or rules entered by the industrial commission, stating the specific grounds of his objection. The commission, in its discretion, may or may not act upon said objection.

(i) Any person affected thereby, whether or not such person participated in the previous proceedings, may within ninety (90) days after a decision, rule or rules is entered by the industrial commission, file a praecipe for a writ of certiorari in the Circuit or Superior Court of the county in which the subject matter of the hearing is situated, or, if the subject matter is situated in more than one county, then in any one of such counties for the purpose of having the reasonableness or lawfulness of the decision, rule or rules reviewed.

Upon filing of such praecipe, writ of certiorari shall issue directed to the industrial commission, returnable on a designated return date not less than ten (10) nor more than sixty (60) days from the issuance thereof.

The person or the parties filing the praecipe for writ of certiorari, or other interested parties, shall, on or before the return date as fixed, file in the office of the clerk of the court out of which said writ issued, specific grounds of objection to the particular decision, rule or rules sought to be reviewed.

Service of such writ of certiorari shall be had by serving a copy upon any member of the industrial commission or its secretary, which service shall be service upon the commission.

The commission shall certify the record of the proceedings to the said court. For the purpose of a writ of certiorari, the record of the industrial commission shall consist of a transcript of all testimony taken at the hearing, together with all exhibits, or copies thereof, introduced in evidence, and all information secured by the industrial commission on its own initiative which was introduced in evidence at the said hearing; a copy of the resolution or petition filed with the commission which initiated the investigation, and a copy of the decision filed in the said cause, together with all objections filed with the industrial commission, if any.

On such certiorari proceedings, the court may confirm or reverse the decision as a whole, or may reverse and remand the decision as a whole, or may confirm any of the rules contained in such decision, and reverse or reverse and remand with respect to other rules in said decision. The order of the court shall be a final and appealable order except as to such portion of the decision of

the commission, or as to such rule or rules therein as may be remanded by the court.

The purpose of any such remanding order shall be for the further consideration of the subject matter of the particular decision, rule or rules remanded.

No new or additional evidence may be introduced in the court in such proceeding but the cause shall be heard on the record of the industrial commission as certified by it. The court shall review all questions of law and fact presented by such record, and shall review questions of fact in the same manner as questions of fact are reviewed by the court on certiorari proceedings under the Workmen's Compensation Act.

The court first acquiring jurisdiction by virtue of the filing of a praecipe for writ of certiorari seeking to review any decision, rule or rules of the industrial commission, shall have and retain jurisdiction of such review and of all other reviews from the same decision, rule or rules until such review is disposed of in said court.

Any person who subsequently, and within the time herein provided, has filed praecipe for writ of certiorari, may intervene in said original cause in whatever county it may be pending by making a proper showing.

The industrial commission, in making return to any writ of certiorari where praecipe is filed subsequent to the first praecipe involving the same subject matter, shall file as its return, a statement that the record has theretofore been filed, or is about to be filed, in response to the first praecipe theretofore filed.

At the time of making such subsequent return, the industrial commission shall mail to the attorneys whose names appear on the said writ as attorneys for the petitioner therein, a true copy of the said return filed with the said court, which return shall state the county in which the first praecipe has been filed, the title and number of the case, and the return date of the said first writ of certiorari. Any party filing such subsequent praecipe for writ of certiorari may intervene in the said original proceeding or shall be foreclosed by the decision thereon.

Such intervenor shall be a party to the said proceeding to the same extent as the party who had filed the first praecipe, and may raise any additional question with respect to the subject matter by filing his specific objections in the said court within such time as the court may direct.

(j) Appeals from all final orders and judgments entered by the said court in review of the decision, rule or rules of the industrial commission, may be taken directly to the Supreme Court by either party to the action within forty-five (45) days after the entry of the order of the said court.

Appeals from orders of the said court shall be in the manner provided by law for other civil cases appealed to the Supreme Court.

Any proceeding in any court affecting a decision, rule or rules of the industrial commission, shall have priority in hearing and determination over all other civil proceedings pending in said court, except election contests.

(k) In all reviews or appeals under this Act, it shall be the duty of the Attorney General to represent the industrial commission and defend its decisions and rules.

[Effective date of rules.] § 8. The industrial commission shall, in its decision, rule or rules, fix the effective date thereof; provided, no such decision, rule or rules shall become effective until ninety (90) days after the entry thereof by the industrial commission, nor shall any such decision, rule or rules become effective during the pendency of any proceedings for review or appeal thereof instituted pursuant to the provisions of this Act in which case such decision, rule or rules shall not become effective until such review or appeal, including appeal to the Supreme Court, if any, has been disposed of by final order and the mandate shall have been filed with the industrial commission, and until a period of time has elapsed after the filing of such mandate equal to the period of time between the date of the entry of such decision, rule or rules by the industrial commission and the effective date as originally fixed by said commission.

[Practice and procedure.] § 9. The industrial commission shall make and publish rules as to its practice and procedure in carrying out the duties imposed upon it by this Act, which rules shall be deemed prima facie reasonable and valid.

[Securing information — Inspection of premises.] § 10. The owner, operator, manager or lessee of any place affected by the provisions of this Act and his agent, superintendent, subordinate or employee, and any employer affected by such provisions, shall, when requested by the industrial commission or any duly authorized agent thereof, furnish any information in his possession or under his control, which the industrial commission is authorized to require; shall answer truthfully all questions required to be put to him; shall admit any member of the industrial commission or its duly authorized representative to any place of employment which is affected by the provisions of this Act for the purpose of making inspection, and shall cooperate in the making of a proper inspection.

[Issuance of subpoenas—Testimony.] § 11. The industrial commission or any member thereof shall have power:

(a) To issue subpoenas for and compel the attendance of witnesses and the production of pertinent books, papers, documents or other evidence.

(b) To hear testimony and receive evidence and to take or cause to be taken, depositions of witnesses residing within or without this State in the manner prescribed by law for depositions in civil cases in the Circuit Court. Subpoenas and commissions to take testimony shall be under seal of the industrial commission.

(c) Service of subpoenas may be made by any sheriff or constable, or any other person. The Circuit, Superior or County court of the county where any hearing is pending, or any judge thereof, either in term time or vacation, upon application of the industrial commission, or any member thereof, may, in his discretion, compel the attendance of witnesses, the production of pertinent books, papers, records or documents and the giving of testimony before the industrial commission or any member thereof, by an attachment proceedings, as for contempt, in the same manner as the production of evidence may be compelled before said court.

[Annual report.] § 12. The industrial commission shall make an annual report of its work under the provisions of this Act to the Governor on or before the first day of February of each year; and a biennial report to the Legislature on or before the first day of February of each odd-numbered year.

[Action in name of Industrial Commission.] § 13. All notices, orders, decisions, rules and other official action shall be in the name of the industrial commission.

[Records of proceedings.] § 14. The industrial commission shall keep a full and complete record of all proceedings had before it or any member thereof, and all testimony shall be taken by a stenographer appointed by the industrial commission. The commission shall also keep records which will enable any employer, employee or their agents, to determine all action taken by the industrial commission with respect to the subject matter in which such employer and employee is interested. All such records shall be open to public inspection.

[Publication of rules.] § 15. At least once each year, the industrial commission shall publish, in printed form, all of its rules made pursuant to Section 4 of this Act which are in full force and effect at the time of such publication.

[Record on return to writ of certiorari.] § 16. The record required to be furnished by the industrial commission as a return to the writ of certiorari shall be furnished by the industrial com-

mission without cost. In any appeal from the decision of the Circuit or Superior Court to the Supreme Court under this Act, the clerk of such Circuit or Superior Court in making up the record for use in the Supreme Court, shall incorporate therein the original transcript filed by the industrial commission in such Circuit or Superior Court as a return to writ of certiorari, in lieu of a copy thereof.

[Department of Labor to enforce rules.] § 17. It shall be the duty of the department of labor to enforce the rules of the industrial commission promulgated by virtue of this Act; provided, the said industrial commission shall not take any part in the enforcement of any of its rules made in accordance with section 4 of this Act.

The department of labor, through its authorized agents, is hereby empowered to visit, and inspect at all reasonable times, all places of employment in this State affected by any rule made pursuant to section 4 of this Act; provided, that whenever any secret process is used in any factory, mercantile establishment, mill or workshop the owner shall, whenever asked by the department of labor or its authorized agent file with said department an affidavit that the owner has in all respects complied with all effective rules made pursuant to the provisions of this Act and such affidavit shall be accepted in lieu of inspection of any room or apartment in which such secret process is carried on.

In the enforcement of the provisions of this Act, the department of labor and its authorized agents under the direction and supervision of the department of labor, shall give proper notice in regard to any violation of this Act to the persons owning, operating and managing any place of employment affected by any rule made pursuant to section 4 of this Act. Such notice shall be written or printed and signed officially by the director of labor or any person authorized by him, and said notice may be served by delivering the same to the person upon whom service is to be had, or by leaving at his usual place of abode, or business, an exact copy thereof, or by sending a copy thereof to such person by mail.

[Violation of rules.] § 18. Any person, firm or corporation or any agent, manager or superintendent of any person, firm or corporation, who for himself or for such person, firm or corporation, after due notice by the department of labor or its authorized agent given in accordance with the provisions of this Act, fails or neglects to comply with any rule made pursuant to Section 4 of this Act, violation of which is referred to in said notice, or who obstructs or interferes with any examination or investigation being made by the department of labor or any of its au-

thorized agents, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than twenty-five dollars ($25.00) and not more than one hundred ($100.00) for the first offense; and upon conviction of the second or subsequent offense, shall be fined not less than fifty dollars ($50.00) and not more than two hundred dollars ($200.00); and in each case shall stand committed until such fine and costs are paid unless otherwise discharged by due process of law.

[Title of act.] § 19. This Act shall be known and may be cited as the "Health and Safety Act."

[Acts repealed — Rules of Industrial Commission.] § 20. That "An Act to provide for the health, safety and comfort of employees in factories, mercantile establishments, mills and workshops in this State, and to provide for the enforcement thereof, and to repeal an Act entitled, 'An Act to provide for the health, safety and comfort of employees in factories, mercantile establishments, mills and workshops in this State, and to provide for the enforcement thereof,' approved June 4, 1909," approved June 29, 1915, as amended, be and the same hereby is repealed, such repeal to take effect March 1, 1938. If, however, the Industrial Commission shall make any rules pursuant to Section 4 of this Act, and it is designated in such rule that it is to replace any section or part of the said Act, and such rule becomes effective prior to March 1, 1938, then such section or part of the said Act shall replace such provision of the statute designated in such rule upon the effective date of said rule of the Industrial Commission, and that said Section 4, of "An Act in relation to employments creating poisonous fumes or dust in harmful quantities, and to provide for the enforcement thereof," approved June 29, 1915, be and the same hereby is repealed, such repeal to take effect October 1, 1936; and that "An Act providing for the reporting, compiling and publishing of information concerning accidents to and deaths by accidents of employes," approved May 24, 1907, be and the same hereby is repealed, such repeal to take effect upon the passage of this Act.

[As amended by Act filed July 13, 1937.]

[Existing rights saved.] § 21. No repeal of any Act herein contained shall extinguish or in any way affect any right of action thereunder, existing at the time this Act takes effect.

APPROVED March 16, 1936.

Rules and Regulations Issued under Health and Safety Act

Note: **The following Health and Safety Rules have been issued under the provisions of this Act.**

Part A. Purpose and Application, Scope, Arrangement and Numbering, Definitions, and Interpretation of Health and Safety Rules.

Part B. Rules and Regulations relating to Guarding of Mechanical Power-Transmission Apparatus, Prime Movers, and Moving Parts of Machinery, and Guarding of Operation of Machinery.

Part C. Rules relating to Removal of Dusts, Vapors, Fumes or Gases from Grinding, Polishing and Buffing Operations.

Part D. Rules relating to Construction of Underground Tunnels, whether or not such Construction is Under Compressed Air except as hereinafter stated.

Part E. Rules and Regulations relating to the Removal of Dusts, Gases, Vapors, Fumes and Mists released from Spray, Flow, Dip and Brush Coating Operations.

Part F. Rules and Regulations relating to the Safety and Health of Workers Employed in Ferrous and Non-Ferrous Operations where castings of Base Metals are made and shall include all operations in connection therewith.

Part G. Rules and Regulations relating to Industrial Housekeeping and Sanitation, and Wash, Locker, Rest, Toilet and Lunch Room Requirements.

Part H. Rules and Regulations relating to various Types of Ladders and Stages.

Part I. Rules and Regulations relating to the Requirements for Scaffolds, Staging, Ladders and other Equipment for use in Constructing, Erecting, Repairing, Servicing and Demolishing Buildings, Structures, or other Objects.

Part J. Rules and Regulations relating to Labeling in the Use, Handling and Storage of Substances Harmful to the Health and Safety of Employees.

Part K. Rules and Regulations relating to the Health and Safety of Workers Employed in the Handling and Application of Tar, Pitch, Asphalt and Other Bituminous Mixtures in Construction Operations.

Part L. Rules and Regulations relating to the Health and Safety of Workers Engaged in Gas and Electric Cutting, Welding, Brazing, Soldering and Similar Operations.

HEALTH AND SAFETY RULES

of the

Illinois Department of Labor

Promulgated by
the Industrial Commiasion of Illinois
under the *Health and Safety Act*
and enforced by the
DIVISION OF FACTORY INSPECTION

INDUSTRIAL COMMISSION

PHILIP J. CAREY, *CHAIRMAN*

JOHN MOULIN
WILLIAM P. HANCOCK
BEN. Z. NUDELMAN
CLAUDE WHITAKER
JAMES S. FROELICH
Secretary

DIRECTOR OF LABOR

JOHN E. CULLERTON

SAFETY INSPECTION AND EDUCATION DIVISION

EDMUND E. KORNOWICZ

PART "A"

Purpose and Application, Scope, Arrangement and Numbering, Definitions, and Interpretation of Health and Safety Rules.

Effective May 1, 1938

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PART "A"

Purpose and Application, Scope, Arrangement and Numbering, Definitions, and Interpretation of Health and Safety Rules

As Amended and in Force March 1, 1955

Chapter I

Sec. 1. Purpose and Application

The purpose of these rules, pursuant to the provisions of the Health and Safety Act, is to provide reasonable protection to the lives, health and safety of persons employed in this State, and these rules shall apply wherever the subject matter thereof shall exist in any business, occupation, or enterprise in this State having employees, except as follows:

(a) Nothing contained in these rules shall be construed to apply to any work, employment or operations done, had or conducted by farmers and others engaged in farming, tillage of the soil or stock-raising, or to those who rent, demise or lease land for any such purposes, or to anyone in their employ, or to any work done on a farm or country place, no matter what kind of work or service is being done or rendered.

(b) Nothing contained in these rules shall be construed to apply to employers and employees in the coal mining industry.

Sec. 2. Scope

The scope of these rules, pursuant to the provisions of the Health and Safety Act, is intended to be limited to the following only:

(a) The proper sanitation and ventilation of all places of employment to guard against personal injuries and diseases.

(b) The arrangement and guarding of machinery and the storing and placing of personal property to guard against personal injuries and diseases.

(c) The prevention of personal injuries and diseases by contact with any poisonous or deleterious materials, dusts, vapors, gases or fumes.

(d) The prevention of personal injuries and diseases caused by exposure to artificial atmospheric pressure.

(e) The construction, setting, placing, erecting and maintenance of scaffolds, platforms, or other similar frameworks.

Sec. 3. Arrangement and Numbering

Health and Safety Rules made by the Industrial Commission are divided into main divisions called "Parts," designated "Part A," "Part B," etc. Each "Part" is subdivided by chapters; each chapter is subdivided by sections, and each section is subdivided by rules. A separate series of numbers is used in numbering chapters of each "Part," sections of each chapter, and rules of each section. Where a rule consists of more than one paragraph, or where sub-paragraphs are used, such paragraphs and sub-paragraphs are appropriately designated to facilitate ready reference.

Sec. 4. Definitions

Rule 1. General Definitions: The following definitions shall apply in connection with all rules made by the Industrial Commission.

(a) The term "Health and Safety Act" shall mean the Health and Safety Act of the State of Illinois.

(b) The term "Industrial Commission" shall mean the Industrial Commission of the State of Illinois.

(c) The term "Department of Labor" shall mean the Department of Labor of the State of Illinois.

(d) The words "shall" or "must" where used in these rules are to be understood as mandatory.

Sec. 5. Interpretation of Rules

Rule 1. General Interpretations: The following interpretations shall apply in connection with all rules made by the Industrial Commission:

(a) These rules shall be interpreted liberally so as to effectuate their intent of providing reasonable protection to the lives, health and safety of employees within the scope authorized by statute.

(b) These rules shall be deemed to constitute minimum standards for providing reasonable protection to the lives, health and safety of persons employed in this State. Where protection equivalent or superior to that afforded by any applicable rule or rules made by the Industrial Commission is provided, such equivalent or superior protection shall be deemed compliance with such rules or rules.

(c) Nothing contained in these rules shall be interpreted as prohibiting any employer from enforcing additional safeguards or regulations for protection to the lives, health and safety of persons employed by such employer, provided such additional safeguards or regulations do not conflict with rules made by the Industrial Commission.

(d) Irrespective of any language in any of the following Parts to the contrary, all rules shall apply wherever the subject matter of such rules shall exist in all businesses, occupations or enterprises having employees.

PART "G"

Rules and Regulations Relating to Industrial Housekeeping and Sanitation, and Wash, Locker, Rest, Toilet and Lunch Room Requirements

Effective September 1, 1944

Sec. 1. Scope and Definitions

Rule 1. Scope:

These rules and regulations for industrial housekeeping and sanitation, and wash, locker, rest, toilet and lunch room requirements shall apply to any plant, factory or other work place wherein labor is regularly employed in the production, servicing, altering, handling, transporting, erecting, disassembling or wrecking of commodities and materials as differentiated from commercial and nonproductive enterprises such as retail store, professional, financial and office operations other than plant and factory office, with the following exceptions:

(a) *War Conditions.* It shall be deemed that an employer is complying with any of these rules, specifications and regulations as set forth if he has made an effort to comply with them but has been denied a priority by competent federal authority to obtain the necessary materials and equipment by virtue of limitations imposed upon employers beyond their control because of the war which is going on at the time of the adoption of these code rules.

(b) *Other Governmental Supervision.* If local ordinances are more strict than these rules, specifications and regulations, concerning any specific subject, the local ordinances shall be followed. Parts of this code that are in conflict with the rules, specifications and regulations of any governmental agency that has jurisdiction or supervision over the control or conduct of any work place or operation shall not be enforced.

Rule 2. Definitions:

(a) *Foot Candle.* A foot candle means the amount of illumination at a point on a plane 1-foot distant from a source of 1-candle power and perpendicular to the light rays at this point.

shall be covered with fly screen. Stacks shall be maintained in a clean and sanitary condition.

Rule 10. Toilet Paper:

Toilet paper shall be provided for each water closet, privy and chemical closet. A holder or retainer shall be provided for toilet paper at each facility.

Rule 11. Toilet Room Temperatures:

The temperature of toilet rooms other than privies during periods of occupancy shall not be less than 65° F.

Sec. 7. Wash and Locker Rooms

Rule 1. Wash and Locker Room Requirement:

Wash and locker room facilities shall be provided for each sex when the number of either sex exceeds ten (10) regularly employed on any single work shift.

Rule 2. Place to be Provided for Employees' Belongings:

The employer shall furnish clothes racks, locker, locker baskets or suspended devices, for every employee regardless of whether a wash and locker room is required. If lockers, locker baskets or other suspended devices are provided they shall be of a type that can be locked.

Rule 3. Construction of Wash and Locker Rooms:

All new wash and locker rooms, and any expansion of or addition to wash and locker room facilities after the approval of this code by the Industrial Commission shall be constructed in accordance with the requirements of this rule.

(a) *Construction of Wash Rooms.* If wash rooms are constructed as separate units they shall be constructed in accordance with Section VI, Rule 3, except that no ceiling shall be required.

(b) *Construction of Combined Wash and Locker Rooms and Separate Locker Rooms.* When wash and locker rooms are combined in a single unit or locker rooms are built as separate units, they shall be so constructed that the walls shall extend to the ceiling of the building in which they are located except that when located in high vaulted areas the walls may be less than eight (8) feet high, and the wash and locker room combination, or the locker room, completely sealed over to keep dust and dirt off the employees' belongings unless lockers are provided for the employees' clothing; then no ceiling shall be required unless a ceiling is essential to cut off view from above.

(c) *Floors.* The floors of combined wash and locker rooms and separate locker rooms shall be constructed of or covered with materials impervious to moisture so that they may be kept in a clean and sanitary condition.

(d) *Location of Doors.* All doors of combined wash and locker rooms and separate wash and locker rooms for means of ingress and egress shall be provided with automatic closing devices. The doors of wash and locker rooms for males and females shall not be located closer than six (6) feet apart. The doors shall be so located that the interior of the rooms is not visible from the outside through the doors except that partitions may be located and built within at least one (1) foot of the floor and not less than six (6) feet high to screen the interior of the room from beyond the door view.

Doors may be provided with glass that is not transparent.

Wash and locker rooms shall be plainly marked "MEN" or "WOMEN."

If wash and locker rooms are built as separate units or in combination, and adjoin toilet rooms, there shall be a connecting door between the facilities.

Rule 4. Washroom Facilities: Every washroom shall be provided with lavatories and/or shower baths as per the following:

(a) *Lavatories.* Lavatories shall be provided for employees per shift on the following basis:

Number of Employees	*Lavatories*
1 to 15 inclusive	1
16 to 30 inclusive	2
31 to 50 inclusive	3

For each additional 25 employees or fractional part thereof, there shall be provided 1 additional lavatory.

The lavatories may consist of individual units or wash sinks or circular fountains. Where wash sinks or circular fountains are used, twenty-four (24) inches of outside rim of a wash sink and seventeen (17) inches of outside rim of a circular fountain shall be the equivalent of one (1) lavatory.

(b) *Construction of Lavatories.* All lavatories installed in new wash rooms, or any additional lavatories installed in existing wash rooms after the approval of this code by the Industrial Commission shall be constructed as follows:

Lavatories, wash sinks or circular fountains shall be constructed of vitreous china or other impervious material. The surfaces left exposed after installation shall have a glazed, smooth finish.

Individual lavatories may be equipped with a drain plug or stopper. Wash sinks and circular fountains shall not be equipped with a drain plug or stopper.

All lavatory facilities shall be equipped with hot and cold water faucets and wash sinks and circular fountains may be equipped with spray pipes provided with valves for controlling the hot and cold water supply. Spring-closing hand-operated faucets shall only be permitted in single lavatories provided with stoppers.

Rule 5. Floor Space Required for Washroom Facilities:

All new washrooms and any expansion or addition of lavatories in washrooms after the approval of this code by the Industrial Commission shall have not less than thirteen (13) square feet of floor space provided per lavatory or its equivalent, including aisle space where only used for washing purposes exclusive of shower baths. If the washroom is consolidated with the locker room the figure of thirteen (13) square feet may be reduced, depending on the amount of adjacent aisle space common to both the locker room and the washroom.

Rule 6. Shower Baths:

Shower baths shall be provided for employees regularly engaged in operations where injurious and toxic liquids, chemicals and dusts are produced and come in contact with the bodies of the employees, or where the operations cause the bodies, except faces, hands and arms of the employees to become so covered with grime, dirt and grease that the street clothes of the employees become soiled when they change into them after the working shift. In such cases, shower baths shall be provided on the basis of one shower to each twenty (20) employees or fractional part thereof, and such showers shall be installed in accordance with the following:

(a) *Shower Bath Stalls.* Individual shower bath stalls installed after the approval of this code by the Industrial Commission shall not be less than thirty-two (32) inches wide and thirty-two (32) inches deep. Where batteries of showers are installed in a line, the shower heads shall be located on at least three (3) foot centers and no partitions need be provided separating the shower spaces.

(b) *Shower Bath Floor Construction.* The floors of all shower bath installations shall be constructed of materials impervious to water, and the floors shall be pitched to readily drain off into a floor drain. Where the floor connects with a wall, forming a part of the shower installation, a cove shall be made integral with the floor not less than six (6) inches high.

Means shall be provided in the surface finish of the floors, or coverings provided on the soapy floors in and around shower bath installations, such as mats, sheets of roofing paper and the like, to prevent employees from slip-

PART "J"

Rules and Regulations Relating to Labeling in the Use, Handling and Storage of Substances Harmful to the Health and Safety of Employees

Effective June 15, 1951

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PART "J"

RULES AND REGULATIONS

RELATING TO LABELING IN THE USE, HANDLING AND STORAGE OF SUBSTANCES HARMFUL TO THE HEALTH AND SAFETY OF EMPLOYEES

Section 1. SCOPE AND DEFINITIONS

RULE 1. SCOPE

These rules and regulations shall apply to all containers of substances known to constitute a health, poison, fire, or explosion hazard, to insure proper labeling of the containers with regard to use, handling, and storage, in order to reasonably safeguard employees working with such substances.

RULE 2. DEFINITIONS

Except as otherwise provided herein, the following definitions shall apply.

(a) *Container.* Container shall mean an individual package that is a bag, box, barrel, glass bottle, can, carboy, cylinder or drum employed to receive, store, or dispense a harmful substance.

(b) *Poison.* Poisons are substances, liquids or solids (including pastes and semi-solids), which are known to be so toxic to man as to afford a hazard to health, or which in the absence of adequate data on human toxicity, are considered to be toxic according to recognized medical and toxicological tests.

(c) *Flammable Liquid.* Any liquid which gives off flammable vapors (as determined by flash point from Tagliabue's closed cup tester, A.S.T.M. Procedure D 56-36) at or below a temperature of 70° F.

(d) *Mixture.* A physical commingling of two or more substances which may or may not bear a fixed proportion to one another and which have not reacted chemically with one another.

(e) *Corrosive*—Physiological. An agent which in contact with living tissue will cause more or less severe destruction of tissue by chemical action. As used in warning labeling, the term "corrosive" refers to action on living tissue and should not be confused with action on inanimate surfaces such as metals, glass or wood.

(f) *Dust.* Solid particles generated by handling, crushing, grinding, rapid impact, detonation and decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, grain, etc. A dust does not tend to flocculate except under electrostatic forces; it does not diffuse in air but settles under the influences of gravity.

(g) *Fume.* Solid particles generated by condensation from the gaseous state, generally after volatilization from molten metals, etc., and often accompanied by a chemical reaction such as oxidation. A fume flocculates and sometimes coalesces.

(h) *Mist.* Suspended liquid droplets generated by condensation from the gaseous to the liquid state or by breaking up a liquid into a dispersed state, such as by splashing, foaming, and atomizing.

(i) *Gas.* A normally formless fluid which occupies the space or enclosure and which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

(j) *Vapor.* The gaseous form of a substance which is normally in the solid or liquid state.

(k) *Irritant*—Physiological. An agent which in contact with living tissue will induce either immediately or after prolonged or repeated contact, a more or less severe local tissue reaction not leading directly to destruction of tissue.

Section II. CONTAINERS REQUIRED TO BE LABELED

RULE 1. REQUIREMENTS

All containers holding substances known to constitute a health, poison, fire or explosion hazard shall be labeled in accordance with the hazards detrimental to the health and safety of employees.

Section III. GENERAL DIRECTIONS OF LABELING PROCEDURE

RULE 1. PREPARATION OF WARNING LABELS

In preparing warning labels, the following general principles shall govern:

(a) *Each Chemical a Distinct Problem.* Each chemical product presents a distinct problem and must be treated individually in the light of its own characteristics. Products composed of two or more substances may have properties that vary in kind or degree from those of the individual components, and warning label shall be based upon the properties of the finished mixture. Impurities may contribute hazardous properties and shall not be overlooked.

(b) *Statements in Understood Terms.* All statements on warning labels shall be brief, accurate, and expressed in simple, easily understood terms.

(c) *Precautionary Information.* Precautionary information shall be used only when and to the extent necessary.

(d) *Labels for Different Products.* On labels for different products, uniformity in language shall be used to indicate the same hazards and same degree of hazard.

(e) *Subject Matter.* The following subject matter shall be considered for inclusion on a warning label:

1. Name of Product;
2. Signal word designating degree of hazard—"DANGER", "WARNING", or "CAUTION";
3. Affirmative statements of hazards;
4. Precautionary measures covering actions to be followed or avoided;
5. Instructions in case of contact or exposure, where advisable;
6. Instructions for handling and storage of containers.

(f) *Inclusion of word "POISON".* The inclusion of the word "POISON" and the skull and crossbones on a label shall be limited to those cases where the product is a poison according to the definition or where such use is prescribed by law. When used, this legend shall be in addition to the other label warning and shall not take the place of the signal words, DANGER, WARNING, and CAUTION, which are designed to show the relative degrees of hazard.

(g) *Label in Conspicuous Place.* Warning statements shall be located prominently on the label and shall be printed in easily legible type which is in contrast by typography, layout, or color with other printed matter on the label. The label shall be affixed firmly to and in a conspicuous place on the container.

(h) *Small Packages within a Larger Package.* When one or more packages bearing "DANGER" warning labels are incorporated in a common container, the common or outer container shall be labeled by the signal word "DANGER" followed by the word that indicates the most significant hazard, such as "DANGER-POISON", "DANGER-FLAMMABLE", etc.

Section IV. INFORMATION TO BE INCLUDED ON WARNING LABELS

RULE 1. INFORMATION TO BE INCLUDED ON WARNING LABELS SHALL BE BASED ON THE FOLLOWING:

(a) *Name of Product.* A non-descriptive code designation or trade name shall not be used as the only identification of a hazardous substance. If the complete chemical name is not shown, the label shall at least clearly state the type of substance, e.g., "corrosive acid", "lead compound".

(b) *Signal Word.* This word is intended to draw attention to the presence of hazard, and to indicate the degree of severity. The signal words are in the order of diminishing severity of hazard:

1. "DANGER"
2. "WARNING"
3. "CAUTION"

Degree of severity can be expressed only in relative terms. "DANGER" is the strongest of the three words and shall be used for those products presenting the most serious hazards. "CAUTION" is required for those compounds presenting the least serious hazards. "WARNING" is intermediate between "DANGER" and "CAUTION".

(c) *Statement of Hazards.* This statement shall give notice of the hazards that are present in connection with the customary or reasonable anticipated handling or use of the product. Examples are:

"CAUSES BURNS"

"VAPOR EXTREMELY HAZARDOUS"

Many chemical products will present more than one type of hazard, in which case appropriate statements for each significant type shall be included on the label. While any compound may be hazardous if improperly used, it is impractical to cover every possible contingency on a label. In some instances where a mild caution is indicated, the statement of hazards may be omitted

and adequate information provided by the signal word "CAUTION" followed by the statement of precautionary measures.

(d) *Precautionary Measures.* These instructions are intended to supplement the statement of hazards by briefly setting forth measures to be taken to avoid injury or damage from stated hazards. Examples are:

"KEEP AWAY FROM HEAT AND OPEN FLAME"

"AVOID BREATHING DUST"

Precautionary measures may be included for less serious hazards not considered of sufficient importance to require inclusion in the statement of hazards. In some instances, the omission of a precautionary statement may be justified, where the measure to be followed is obvious from the statement of hazard. For example, "Do not take internally" is unnecessary when the statement of hazard contains the words, "May be fatal if swallowed."

(e) *Instructions in Case of Contact or Exposure.* The primary purpose of a warning label is to prevent injury or damage. Instructions in case of contact or exposure shall be included in those instances where the results of contact or exposure are severe and immediate treatment is highly desirable, and where simple remedial measures may be taken safely by non-professional persons before medical assistance is available. Instructions shall be limited to recognized first aid procedures based on simple methods and commonly available materials. Instructions for strictly medical treatment shall be omitted except when specifically required by law. Because of the serious and lasting effects that may result from eye injuries, a recommendation to get medical attention shall accompany any specific instructions directed to treatment of the eyes. In certain instances simple remedial measures such as washing or removal of clothing may be included where they will serve to avoid serious injury following contact or exposure.

All precautionary information shall appear on the label as a unit and shall be printed in the order given above. Relative prominence shall be given the individual statements. Relative prominence may be achieved in a number of ways such as by variation in type size, color, or layout of the printed material. Products will be encountered that present hazards varying in kind or degree from those listed.

Appropriate statements of hazards, precautionary measures and instructions in case of contact or exposure shall be prepared on the basis of the properties of the product, following the pattern and general phraseology of the table in Section V. Parenthetical words in the table express variations in kind or degree and are to be used where applicable.

Section V. CONTAINER HANDLING AND STORAGE

RULE 1.

Precautionary statements must be used either as separate labels or in combination with the warning labels attached to the container whenever their use is required for safe handling and storage. Care must always be exercised in handling and storing containers of hazardous substances. The general pre-

cautions listed below shall be used as a guide in labeling for special handling and storing certain classes of containers. Applicable phrases may be selected from these statements.

(a) *Metal Drum Handling and Storage* (for liquids and semi-liquids)

Keep plug up to prevent leakage.
Keep drum out of sun and away from heat.
Relieve internal pressure when received and at least weekly thereafter by slowly loosening plug. Retighten immediately.
Never use pressure to empty.
Keep lights, fire, and sparks away from drum openings.
Drum must not be washed out or used for other purposes.
Replace plug after each withdrawal and return with empty drum.
In case of spillage, flush with plenty of water.

(b) *Glass Carboy Handling and Storage*

Before moving carboy be sure closure is securely fastened.
Loosen closure carefully.
Keep out of sun and away from heat.
Never use pressure to empty.
Completely drain carboy before returning.
In case of spillage, flush with plenty of water.

(c) *Wooden Barrel Handling and Storage* (for liquids and semi-liquids)

Keep out of sun and away from heat.
Store with bilge bung up.
Never use pressure to empty.
Drain completely.
Keep barrel moist—shrinkage may cause leaks.
In case of spillage, flush with plenty of water.

(d) *Cylinder Handling and Storage*

Keep away from heat.
Do not store in sunlight.
Never drop cylinders.
Be sure connections are tight.
I.C.C. Regulations prohibit refilling cylinder without permission of owner.
Have airline respirator or self-contained oxygen respirator available for emergency.

Section VI. GUIDE TABLE FOR SELECTION OF PRECAUTIONARY STATEMENTS ON WARNING LABELS

RULE 1.

The table which follows shall be used as a guide in the selection of precautionary statements on warning labels. However, the warning labels for products, chemicals and substances shall include appropriate combinations of pertinent statements.

CLASS OF HAZARD	STATEMENTS OF H *Selection to be based on actual h and degree of hazard*
I. Flammable liquids (Flash points are determined by the Tagliabue closed cup method) A. Flash point 70 degrees F. or below	Flammable
II. Oxidizing Agents	Strong Oxidant Contact with Combustible Materi Fire
III. Materials Giving Vapors Rapidly Toxic or Extremely Irritating on Exposure for a Short Time or to Low Concentrations	Vapor (Extremely) Hazardous Hazardous Liquid and Vapor Pressure) Vapor Poisonous if Inhaled Vapor May be Fatal if Inhaled Note: Poison* should be included if the definition of "poison" or is required by
IV. Materials Giving Vapors Hazardous from Prolonged or Repeated Exposures or Exposure to High Concentrations	Vapor Harmful Causes Irritation of Eyes, Nose,
V. Gases and Vapors Physiologically Inert	Gas (Vapor) Reduces Oxygen A Breathing Releases Heavy Gas (Vapor) Cause Suffocation
VI. Materials in Dust Form Hazardous from Inhalation or Contact	Hazardous (Harmful) Dust Harmful if Inhaled Causes Irritation of Skin, Nose, a
VII. Skin Irritants—Corrosive	Causes Severe Burns Causes Burns May Cause Burns
VIII. Materials Causing Skin Irritation after Prolonged or Repeated Contact	Causes Skin Irritation May Cause Skin Irritation
IX. Materials Toxic Through Skin Absorption	Hazardous Solid (Liquid) Rapidly Absorbed through Skin Absorbed through Skin Note: Poison* should be included if the definition of "poison" or is required by
X. Materials Toxic if Swallowed	Poisonous if Swallowed May be Fatal if Swallowed Harmful if Swallowed Note: Poison* (See No. III and IX.)

*Poison with

...to be based on actual hazards of use ...ent of hazard	CONTACT OR EXPOSUR *Selection to be based on necessity of pro... action in order to avoid serious effects.*
...ay from heat (sparks) and open flame. ...ontainer closed (and away from heat). ...adequate ventilation.	
...parately (away) from and avoid con... ...combustible materials. ...contamination of clothing as it becomes ...dily flammable when dry. ...ontainer closed (and away from heat). ...contact with skin and eyes.	In case of contact, immediately flush skin eyes with plenty of water for (at least) minutes; for eyes, get medical attention. W clothing thoroughly at once. Sweep up spillage at once. Flush or absorb spillage with .....
...breathe vapor. ...get in eyes, on skin, on clothing. ...with adequate ventilation. ...ontainer closed (and away from heat). ...line respirator or self-contained oxy...pirator available for emergency.	In case of contact, immediately flush skin eyes with plenty of water for (at least) minutes; for eyes, get medical attention. I move and wash clothing before re-use. Note: If Poison* is used, add antidote sta ment as required.
...with adequate ventilation. ...prolonged or repeated) breathing (of) ...contact with skin, eyes and clothing. ...ontainer closed (and away from heat).	If spilled on clothing, remove and wash l fore re-use. In case of exposure to high concentration, move to fresh air.
...adequate ventilation. ...ontainer closed. ...enter storage areas unless adequately ...ed.	If affected by exposure, remove to fresh a If breathing has stopped, apply artificial re piration.
...breathe dust. ...breathing dust. ...thoroughly before eating or smoking. ...exposure with skin, eyes, and clothing.	In case of contact, immediately flush skin eyes with plenty of water for (at least) minutes; for eyes, get medical attention. R move and wash clothing before re-use.
...get in eyes, on skin, on clothing. ...contact with skin, eyes, and clothing. ...exposure to (concentrated) vapor.	In case of contact, immediately flush skin eyes with plenty of water for (at least) minutes; for eyes, get medical attention. R move and wash clothing before re-use.
...(prolonged or repeated) contact with ...thoroughly before eating or smoking. ...exposure to (concentrated) vapor.	
...get in eyes, on skin, on clothing. ...contact with skin, eyes, and clothing.	In case of contact, immediately remove a contaminated clothing and flush skin or eye with plenty of water for (at least) 15 minutes for eyes, get medical attention. Wash clothing before re-use. Note: If Poison* is used, add antidote statement as required.
...thoroughly before eating or smoking. ...thoroughly after handling. ...breathe dust (vapor). ...breathing dust (vapor). ...take internally (only if statement of ...does not make this clear).	Note: If Poison* is used, add antidote statement as required.

*Poison with Skull and Crossbones