FILE NAME: Railroads (RR)

DATE: 1938 May 21

DOC#: RR042

DOCUMENT DESCRIPTION: Memo Stating Respirators Can be Purchased in Some Situations

Barry Castleman's Railroad File
CD-ROM Document # RR 42 DATE 1988

Type of Document

- published report from journal
- trade publication advertisement article
- proceedings from annual meeting
- published abstract from conference
- unpublished report
- unpublished presentation
- meeting agenda minutes report
- letter
- ✓ memo
- government report
- industry warning information
- book excerpt
- legal _____

Bloomington, Illinois
May 21, 1938

Mr. C.M. House:

Re: your letter 5/16/38 quoting Mr. Voorhee's letter of May 14 advising that financial conditions prevent purchasing respirators at this time.

I have just finished re-checking our requirments with present forces according to the Illinois Act and also according to the instructions in B & O Joint Circular Ch. of M.P. &E. #SB152. According to these instructions we should have the respirators listed on the attached sheets.

I note Mr. Voorhees says "However, if there are any situations where the hagard is particularly serious, for which exceptions should be made regardless of our financial conditions, I am willing to provide the protection recommended." As I understand it the chief reason for making this investigationwas to detmine how many respirators would be required to comply with the Illinois Occupational Diseases Act and to avoid payment of penalty for failure to do so. The data I have handed you is based soley on the instructions contained in the act. As a matter of information B & O Circular SB152 mentioned above gives instructions to practically the same effect as the Illinois Occupational Diseases Act. The chief hazard, it seems to me lies in the chance of being sued by the state for failure to comply. So far as as immediate hazard to the health of any employees is concerned, conditions are no different now fromwhat they were a year or two years ago, and personally I do not feel that I could pick out any particular cases which could be considered immediately hazardous from that standpoint.

If the State Factory Inspectors have taken exception to the lack of respirators at any particular point, it might be wise to furnish respirators in these cases if it is necessary to do so in order to avoid suit. I feel that since the B & O instructions also call for respirators as listed above, they should be furnished when consistent.

R.W. Seniff