

LEGISLATION

Department of Labor and Industry

*The General Safety Act of 1937**

This act is the basic industrial law of Pennsylvania. The statute establishes comprehensive health and safety standards for industry, and designates penalties in the form of fines and imprisonment for violation of the required standards. The 1937 act is also preventive and punitive. The safety law is of little importance, however, as a basis for the recovery of damages by an employee injured in consequence of any violation of its provisions for the reason that the Workmen's Compensation Act¹ and the Occupational Disease Act² provide in substance that acceptance of these laws by an employer and employee limits the employee disabled by accident or disease as a result of his employment to the remedy afforded in those laws. The act, summarized in section form, follows:

Section 1 is the definition section. The term "establishment" is defined as any room, building or place within the State, except farms or private dwellings, where persons work for compensation of any kind. The term includes establishments owned or under the control of the Commonwealth, or any of its political subdivisions. The term "department" means the Department of Labor and Industry, the designated enforcement agency for the act.

Section 2 enumerates general safety and health requirements for industry. The section requires all establishments to be constructed, equipped and operated in a manner which will protect the health and safety of employees. Certain types of machinery must be guarded so as to eliminate dangerous working conditions. Employees who are subject to injuries from flying particles, falling objects, hot, corrosive or poisonous substances, acids or caustic or injurious light rays or harmful radioactive materials, must be provided with and must wear goggles, other head and eye protectors, gloves, leggings, and any other personal protective devices deemed necessary for their safety.

From the standpoint of industrial health, subsection (e) of section 2 is important. This subsection authorizes the Department of Labor and Industry to require the removal at the point of origin

* Act of May 18, 1937, P.L. 654, as amended, 43 P.S. §§ 15-1 et seq.

¹ Act of June 7, 1915, P.L. 716, as amended, 77 P.S. §§ 1 et seq.

² See note 3, *supra*.