

By Mr. Harding of Dedham, petition of Hugh Morton and Francis A. Harding for the establishment of a division of accident prevention in the Industrial Accident Board. State Administration.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Fifty-Five.

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AN ACT ESTABLISHING A DIVISION OF ACCIDENT PREVENTION IN THE INDUSTRIAL ACCIDENT BOARD.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 23, as amended, is hereby fur-  
2 ther amended in section 3 by striking out in the fourth  
3 sentence thereof all after the words "necessaries of  
4 life" and inserting the following words:— a division  
5 of inspection, and such other divisions as he may from  
6 time to time determine or as hereinafter described, — so  
7 that the whole sentence shall read:— He shall organ-  
8 ize in the department a division of standards, a division  
9 on the necessaries of life, a division of inspection, and  
10 such other divisions as he may from time to time deter-  
11 mine or as hereinafter described.

1 SECTION 2. Chapter 23, as amended is hereby fur-  
2 ther amended by inserting after section 9R the follow-  
3 ing section:—

4 *Section 10.* The director of the division of inspection  
5 shall be in charge of all inspectors and investigators ap-  
6 pointed under the provision of section four, except those  
7 inspectors and investigators appointed to the division  
8 of industrial accident prevention as hereinafter pro-  
9 vided. He shall comply with such requests for inspec-  
10 tors from the department as may from time to time be

11 made by the commissioner or by the directors of the  
12 department to help them in the performance of their  
13 duties. All inspectors or investigators and veterans  
14 having permanent status as inspectors or investigators  
15 now employed by the department, other than those as-  
16 signed to the division of accident prevention as herein-  
17 after provided, shall be transferred to the division of in-  
18 spection without any impairment of their civil service  
19 status, seniority, retirement or any other right accruing  
20 to them under the provisions of chapter thirty-one. The  
21 present incumbent of the position of director of indus-  
22 trial safety shall become the director of inspection with-  
23 out any impairment of his rights to salary, term of office,  
24 retirement or any other emolument of his present office.

1 SECTION 3. Chapter 23, as amended, is hereby fur-  
2 ther amended by inserting after section 13 the follow-  
3 ing sections:—

4 *Section 14.* There shall be in the department a coun-  
5 cil on industrial health and safety. The council shall  
6 be composed of nine members as follows:— two to rep-  
7 resent employees, two to represent employers, two to  
8 represent carriers of accident and health insurance, and  
9 two who are recognized as experienced in the field of in-  
10 dustrial safety engineering. The chairman of the indus-  
11 trial accident board shall be chairman of the council, and  
12 the commissioner of labor and industries shall be a mem-  
13 ber ex officio. They shall be appointed by the governor  
14 with the consent of the council for terms to expire as  
15 follows:— two on January thirty-first, nineteen hun-  
16 dred and fifty-seven, two on January thirty-first, nine-  
17 teen hundred and fifty-eight, and two on January thirty-  
18 first, nineteen hundred and fifty-nine. Appointments  
19 for terms beginning after January thirty-first, nineteen  
20 hundred and fifty-seven, shall be for three years, except  
21 that an appointment to a vacancy shall be for the unex-  
22 pired term of the person causing the vacancy. They  
23 shall be paid their necessary expenses while engaged in  
24 the performance of their duties.

25 The council shall co-operate with the industrial acci-

26 dent board, and with the division of industrial accident  
27 prevention. They shall institute programs of safety  
28 education among employers and employees, and shall  
29 co-operate with carriers of accident and health insur-  
30 ance and with such private organizations as are devoted  
31 to industrial health and safety in the promotion of in-  
32 dustrial health and safety. They shall investigate new  
33 industries and new methods of manufacture or produc-  
34 tion with a view to anticipating and preventing new  
35 forms of industrial injuries or disease. They shall sub-  
36 mit to the general court an annual report, including  
37 such recommendations for legislation as they deem ap-  
38 propriate.

39 *Section 15.* The chairman of the industrial accident  
40 board shall appoint, with the approval of the governor  
41 and council, a director of the division of industrial ac-  
42 cident prevention, who shall be a graduate of a recog-  
43 nized school of industrial safety engineering and shall  
44 be experienced in the field of industrial safety. The  
45 salary of the director shall be . . . . . In addition  
46 to such staff and facilities as may be necessary in the  
47 efficient performance of its duties, there shall be em-  
48 ployed in the division of accident prevention persons  
49 having special knowledge of the cause and prevention  
50 of industrial accidents. It shall be the duty of the di-  
51 vision to investigate occupational hazards with a view  
52 to anticipating and preventing accidents. The division  
53 shall promptly investigate such hazards and render  
54 such reports as the board or chairman may require.

55 *Section 16.* The chairman shall establish a division  
56 of administration under the supervision of a director  
57 of industrial accident administration, who shall be the  
58 administrative head of the industrial accident board.  
59 The director shall be appointed by the chairman with  
60 the approval of the governor and council, and shall be  
61 a person familiar with the principles and experienced  
62 in the method and practice of personnel administra-  
63 tion. The salary of the director shall be . . . . .

64 All personnel now employed in the department of  
65 industrial accidents except the members of the board,

66 shall be under the supervision of the director of indus-  
67 trial accident administration without loss of status, re-  
68 tirement, seniority or any other right accruing to them  
69 under chapter thirty-one.

70 *Section 17.* The board may appoint, subject to the  
71 provisions of chapter thirty-one, any inspectors or in-  
72 vestigators now employed by the department of labor  
73 and industries who have passed a qualifying examina-  
74 tion set forth by the council of industrial health and  
75 safety and the civil service commission. Such men  
76 shall be under the supervision and control of the board,  
77 and shall be assigned to the director of accident preven-  
78 tion as the board may decide, and shall have all the  
79 powers and authority in order to perform the duties  
80 required of the division to which they are assigned.  
81 If a sufficient number of inspectors and investigators  
82 now employed by the department of labor and indus-  
83 tries have not qualified as set forth above, the board  
84 may employ, subject to the provisions of chapter  
85 thirty-one, such other persons as may be qualified in a  
86 like manner.