

CHAPTER 23.

AN ACT

[S. B. 34]

To amend Section 359, Compiled Laws of Alaska, 1933, relating to labor on mining claims in Alaska and providing for forfeiture of claims for failure to perform such labor.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That Section 359, Compiled Laws of Alaska, 1933, be, and the same is hereby amended by adding thereto the following: provided, that whenever the general laws of the United States requiring annual labor upon mining claims in Alaska are suspended, the laws of Alaska requiring annual labor upon mining claims shall likewise be suspended upon the same terms and conditions.

Mining claims—
annual labor on,
suspension of.

Approved March 17, 1941.

CHAPTER 24.

AN ACT

[S. B. 13]

To establish a Department of Labor, and the office of Commissioner of Labor; To Prescribe the Organization, Powers and Duties of each; To repeal all Acts and parts of Acts in conflict herewith and to appropriate the sum of \$30,000.00 to carry into effect the Provisions of this Act and other specified Sections and Articles."

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. Definitions. When used in this Act, "employer" includes every person, firm, corporation, part-

Definitions.

nership, stock association, agent, manager, representative or foreman, or other persons having control or custody of any employment, place of employment, or any employee.

“Department” means the Department of Labor created and established as hereinafer set forth.

“Commissioner” means the Commissioner of Labor created and established as hereinafter set forth.

Creation of
Dept. of Labor—
purpose,
jurisdiction.

Section 2. A Department of Labor is hereby created, the general purpose of which shall be to further, promote and develop the welfare of the wage earners of the Territory, to improve their working conditions, and to advance their opportunities for profitable employment. The Department shall have exclusive charge of all matters affecting or concerning the health, safety and welfare of all wage earners in the Territory.

Commissioner
of Labor.

Section 3. The executive officer of the Department shall be known as the Commissioner of Labor. The first Commissioner shall be appointed by the Governor and confirmed by the Senate and the House of Representatives of the 1941 Legislature, in joint session assembled. He shall enter upon the performance of his duties on the first day of July, 1941, and shall serve until his successor is elected and qualified.

Election of,
term, etc.

A Commissioner shall be elected by popular vote at the general election of 1942 and of each four years thereafter. He shall take office on the first day of January following his election and serve for a term of four years, and until his successor is elected and qualified.

Vacancies.

Section 4. Vacancies shall be filled by a majority vote of the Attorney General, Auditor and Treasurer.

Section 5. No person shall be eligible to hold the office of Commissioner unless he is thirty-five years of age, a citizen of the United States, and has been a bona fide resident of the Territory of Alaska for at least ten years immediately preceding his election or appointment.

Qualifications.

Before entering upon the duties of his office the Commissioner shall file with the Auditor his oath of office to the effect that he will faithfully and impartially discharge the duties of his office.

Oath.

No person shall be eligible to hold employment in the Department of Labor as Assistant Commissioner, Supervisor, Inspector, or in any other capacity, other than clerical, unless he has the same qualifications as to citizenship and residence as are herein prescribed for the Commissioner.

Other officers.

Section 6. The Commissioner shall receive a salary of Three Thousand Six Hundred Dollars per annum, payable in equal monthly installments and he shall devote his entire time to the duties of his office.

Salary of Commissioner.

Section 7. The Commissioner shall be provided with an office in Juneau, and clerical assistance, supplies and stationery as may be necessary. He may hold meetings at any place in the Territory, and he shall be entitled to receive from the Territory his necessary and actual expenses while absent from his headquarters on the business of the Department.

Office, traveling expenses.

Section 8. It shall be the duty of the Commissioner of Labor:

(a) To administer and enforce all labor laws of the Territory, the enforcement of which is not otherwise specifically provided for:

Duties of Commissioner.

(b) To administer and enforce the provisions of Chapter 80, Session Laws of 1939.

(c) To make or cause to be made all necessary inspections to see that all laws which the Commissioner has the duty, power and authority to administer and enforce, are properly and effectively carried out.

(d) To make investigations, collect and compile statistical information upon the condition of labor generally and upon all matters relating to the enforcement and effect of the provisions of this Act.

(e) To propose to the Legislature the enactment of such laws, or change in or repeal of existing laws, as he may deem advisable for the prevention of accidents in every employment.

Section 9. Employer's duty as to safety.

**Employers' duty
as to safety.**

(a) Every employer shall furnish employment which shall be reasonably safe for the employees therein and shall furnish and use safety devices and safeguards, and shall adopt and use methods and processes reasonably adequate to render such an employment or place of employment reasonably safe, and shall do every other thing reasonably necessary to protect the life, health, safety and welfare of such employees; provided that, as used in this Act, the term "safe" or "safety" as applied to any employment or a place of employment shall include conditions and methods of sanitation and hygiene reasonably necessary for the protection of life, health, safety and welfare of employees or the public.

(b) If the Commissioner of Labor or his authorized representative finds that any machine, tool or equipment, or any part thereof, is in a dangerous condition or is not properly guarded or is dangerously placed, he shall

attach to such machine, tool or equipment a notice warning all persons against the use thereof and setting out in detail the conditions which render such machine, tool or equipment unfit for service. Such notice shall fix a reasonable time within which the machine, tool or equipment or part thereof shall be made safe and if at the expiration of such period of time such machine, tool or equipment, or part thereof, shall not have been made safe, then it shall be unlawful to continue in use such machine, tool or equipment, or part thereof.

Section 10. Duty to furnish information; keeping of records.

(a) Every employer, or owner, shall furnish to the Commissioner any information which he is authorized to require, and shall make true and specific answers to all questions, whether submitted orally or in writing, authorized to be put to him;

Employer to furnish information and keep records.

(b) Every employer shall keep a true and accurate record of the name, address and occupation of each person employed by him, and of the daily and weekly hours worked by each such person and of the wages paid each pay period to each such person. Such records shall be kept on file for at least one year after the date of the record.

Section 11. Right of entry; access to books, accounts, records, etc. The Commissioner and his authorized representatives shall have the power and authority to enter any place of employment during regular hours of employment and in cooperation with the employer, or someone designated by him, to collect facts and statistics relating to the employment of workers and of making inspections for the proper enforcement of all labor laws of the Territory, and shall, for the purpose of examination, have access to and the right to copy from any book,

Access to books, etc.

account, record, pay roll, paper or document relating to the employment of workers. Any employer who hinders or unnecessarily delays the Commissioner or his authorized representative in the performance of his duties in the enforcement of this Act, or who refuses to admit the Commissioner or his authorized representative to any place of employment, or who fails to keep, or who falsifies any record required under the provisions of this Act, or who refuses to make such records accessible or refuses to furnish a sworn statement thereof or to give information required for the proper enforcement of this Act, upon demand, to the Commissioner or his authorized representative, shall be deemed to have violated this Act.

Strikes, etc.,
prevention of.

Section 12. It shall be the duty of the Commissioner to do all in his power to promote the voluntary arbitration, conciliation and mediation of disputes between employers and employees to prevent strikes and lock-outs within the Territory.

Penalties.

Section 13. Penalties. Any employer, or owner, who violates, or fails or refuses to comply with any provision of this Act, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than \$25.00 nor more than \$100.00, or shall be imprisoned for not exceeding six months, or both so fined and imprisoned for each such offense; and each day such violation, omission, failure, or refusal continues shall be deemed a separate offense.

Report.

Section 14. Biennial Report; recommendations. At each Regular Session of the Legislature, the Commissioner of Labor shall submit a report to the Governor for transmittal to the Legislature, concerning the activities of the Department of Labor during the preceding two years.

Section 15. Cooperation. The Commissioner is authorized on behalf of the Territory to negotiate from time to

time with the Federal and Territorial Departments and other agencies such arrangements as may be deemed expedient for cooperation with said Departments and Agencies in formulating and carrying out policies and projects designed to encourage and assist in the protection and welfare of labor of the Territory.

Cooperation
with Federal
agencies.

Section 16. It shall be the duty of the Commissioner of Labor to aid and assist resident workers in Alaska to obtain, safe-guard and protect their rightful preference to be employed in industries in this Territory.

Preference
to resident
laborers.

Section 17. Appropriation. There is hereby appropriated the sum of \$30,000.00 to carry into effect the provisions of this Act.

Appropriation.

CHAPTER 25.

AN ACT

[H. B. 63]

To authorize the payment of Thirty-five (\$35.00) Dollars to Mrs. Anna M. Chilberg, and declaring an emergency.

Be it enacted by the Legislature of the Territory of Alaska:

Section 1. That the Territorial Treasurer is authorized and directed to pay out of the general fund of the Territory the sum of Thirty-five (\$35.00) Dollars to Mrs. Anna M. Chilberg, P. O. Box 894, San Bernardino, California, representing the amount of a bank deposit in the Miners and Merchants Bank of Ketchikan, owned by Mrs. Anna M. Chilberg at the time of its escheat to the Territory.

Refund of
escheated bank
deposit.