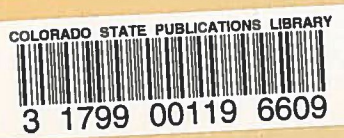


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TWENTY-EIGHTH REPORT

of the

INDUSTRIAL COMMISSION OF COLORADO

For the Period

July 1, 1962
to
June 30, 1964



TWENTY-EIGHTH REPORT

of the

INDUSTRIAL COMMISSION OF COLORADO

For the Period

July 1, 1962

to

June 30, 1964

Administering:

Workmen's Compensation Act
Industrial Relations Act
Labor Relations
State Compensation Insurance Fund
Safety Inspection Department
Boiler Inspection Department
Department of Wage Claims
Minimum Wage
Child Labor
Division of Unemployment Compensation
Safety Education Department
Migratory Labor Department
Colorado Apprenticeship Council
Private Employment Agencies
Theatrical Agencies

TO HIS EXCELLENCY,

THE GOVERNOR OF COLORADO
State Capitol Building
Denver, Colorado

Sir:

In accordance with the provisions of the law creating the Industrial Commission of Colorado as modified by the Labor Peace Act, we have the honor to transmit herewith the report of the activities and proceedings of the Commission for the period of July 1, 1962 to June 30, 1964.

JAMES M. SHAFFER, Chairman

WALTER W. JOHNSON

ALBERT S. MANGAN

Commissioners.

RICHARD E. MOSS,

Secretary.

LABOR RELATIONS

Mr. Frank J. Burk, Labor Relations Officer

The economic progress of industries and individuals within its borders is a goal desired by State Government, to ensure financial stability and full development of human and natural resources.

Hand in hand with the goals of industrial growth, regular and adequate income for workers, and a steady flow of goods and services, is the need to protect the rights of employers, employees, and the public whenever harmony in operations is threatened or on the verge of being disrupted.

The Labor Relations Division of the Industrial Commission of Colorado is the guardian of this industrial peace and constant production by its responsible administration of the Labor Peace Act of 1943, which is the public policy of the State regarding employment relations and collective bargaining regulations. In brief, the specific duties of the Division are in the following categories:

Preparation for and conduct of collective bargaining unit and all-union agreement elections. Receipt and process of the notices of desire to change contract terms and notices of intent to strike. Assistance to both sides when there is a threat of work stoppage. Appraisal of unfair labor charges. Appropriate assistance and efforts to solve labor problems of all kinds. Business communications with the public, labor unions, employers, and governmental officials in person, by mail and telephone.

ELECTION

A major factor contributing to desired employer-employee relations is supervision by the Division of both collective bargaining and all-union agreement elections, which determines what union, if any, will represent workers, and if workers will be eligible to negotiate with management on provisions of a union shop pact.

Questions concerning the selection of a collective bargaining unit may be raised by petition of any employee or his employer, or by the representative of either of them. The Commission is asked to determine by secret ballot, and to certify, the representative chosen by employees for the purpose of collective bargaining in respect to wages, hours, and working conditions.

The Commission is also required to decide the unit or group of workers appropriate for collective bargaining unit purposes, and to certify a list of eligible

voters. The Commission has the power to adjust disputes by voluntary methods, and to obtain compliance with the Statutes through informal conferences, as well as through the regular formal hearing procedure.

All actions on the part of the parties to the dispute are voluntary in the informal procedure. Formal hearings are conducted by a referee designated by the Commission. The proceedings are conducted within the framework of the rules of Civil Procedure, as in a court of law. All-union shop elections may be raised and processed under the same procedure as outlined for collective bargaining unit elections. Guideposts determining success or failure in these elections are a simple majority of the votes cast in a collective bargaining unit election, and a 75 per cent tally of the votes cast must be in favor of an all-union shop. In the period from July 1, 1962 to June 30, 1964, a total of 29 petitions was filed for collective bargaining unit elections. Six later were withdrawn by the unions, three dismissed by the Commission, and three are still pending. In the 17 elections conducted, 1,363 employees were eligible to vote. The unions won nine and lost eight of these elections. During the same period, 35 petitions were filed for all-union shop elections, four subsequently were withdrawn by unions, one was dismissed by the Commission, and 30 elections were conducted. Unions won 21 and lost nine of these elections, in which 2,515 employees were eligible to vote.

An example of the details involved and the time element entailed in election procedures can be gleaned from one case concluded by the Commission after six months of activity. In December of 1963, petitions were filed for an all-union shop election for caddy boys and/or courtesy clerks employed by four Denver retail grocery chains. Initially, a Commission hearing was required to determine if a multiple employer unit should be designated. After a hearing, the referee issued findings of fact and recommendations to the Commission, which, early in March of 1964, ordered that a multiple unit election be set. Votes of employees of the chains were to be tallied collectively. The Labor Relations Office then set informal conferences to settle all questions regarding eligibility of employees, and agreement was reached to conduct a mail ballot election April 6th through 9th. Notices of the Referendum and poll list were then sent to each retail chain with instructions for posting. Ballots were mailed to 955 eligible employees, and on April 13th a total of 648 ballots had been marked, returned, and opened before representatives of both parties. The count was 476 for an all-union agreement; 144 against, and 28 ballots challenged by representatives of either side or the Labor Relations Officer. These challenges could alter the course of the election. At an informal hearing it was agreed to reject two defaced ballots. A May hearing was held on the validity of the remaining 26 challenged ballots. A decision by the referee rejected 12 ballots, accepted 12 ballots as for a union shop, and two as against such an agreement. All of these deliberations resulted in the union's winning the election by two votes. Since a 75 per cent tally of the votes cast is required in support of an

all-union agreement, the Commission then issued an order certifying the petitioner as the appropriate unit entitled to negotiate such an agreement.

THIRTY-DAY AND INTENT TO STRIKE NOTICE

Another large portion of the Division's work centers around the requirement to file written reports before wages, hours, and working conditions can be changed or strikes undertaken. Chapter 80-1-29 (Colorado Revised Statutes 1953) gives the Commission the jurisdiction of every dispute between the employer and employee affecting conditions of employment, or with respect to wages and hours, and provides that both parties shall give to the Industrial Commission, and one to the other, at least 30 days prior written notice of an intended change. This law allows time for representatives of both parties to get together to discuss the proposed change and to make agreements for the benefit of all concerned. For the record of both parties, the Division acknowledges in writing receipt of all notices. The work load involved in processing these notices is apparent in the biennial figure of 4,537 notices being received, which affected the same number of employers and concerned 570 unions.

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Before the exercise of the right to strike by the employees of any employer engaged in the production, harvesting, or initial processing of any farm or dairy product, the employees shall give to the Commission at least 30 days written notice of their intent to strike, and all other industries or occupations at least 20 days notice of their intention to strike, is necessary. The Commission immediately notifies the employers of the receipt of such notice, and offers its services to mediate the dispute. Any strike called or made effective before the required cooling off period shall constitute an unfair labor practice.

In the 2-year period, 3,829 Intent to Strike Notices were received, affecting the same number of employers and 75,695 employees. The success of these measures in preparing the way for calm deliberation by the parties involved, and in postponing any sudden action of a final nature, is evident in a low total of 37 strikes recorded during the biennium. This tally is reported by the Federal Mediation and Conciliation Service, which receives a listing of all work stoppages.

UNFAIR LABOR CHARGES

Unfair labor charges are cases which arise out of claims of the employer or employee or their respective representative that one or the other has engaged in an unfair labor practice, as enumerated in 80-5-6, CRS 1953. Generally, it is sufficient to notify the offending party when such acts are committed. If, however,

a dispute continues regarding the facts at issue, a formal hearing is set before a Commission referee.

There were 14 unfair labor charges filed during this biennium; two were withdrawn by the union, 12 went to hearings before a referee, and decisions rendered affecting 141 employees.

All of the formal functions entailed by the Labor Peace Act machinery are supplemented by the Labor Relations Officer following a set procedure of stop-off visitations with firm administrators and union employees for consultation on plant situations, grievance issues, and the legal rights and responsibilities of both parties. With the arrival of new industries there will always be a continuing and growing need for advice and direction in compliance with Colorado laws.

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SAFETY DEVICES & METHODS DIVISION
Mr. Stanley K. Riddell, Director

The continuing industrial expansion in Colorado with the ever-increasing number of people employed in industry has brought about heavy demands on the Safety Devices and Methods Division for safety education and assistance during the past two years.

Included in the industrial expansion were numerous new plants and companies not previously operating in Colorado. Many residents of the State accepted employment in industry for the first time. Because of this indoctrination in the fundamentals of safety, these new plants and their new employees assumed an important role. Many already-established companies expanded or diversified their operations, thereby creating new conditions which required special attention. Greater emphasis on safety by municipalities, State institutions, and school districts has become evident through their requests to this Division for assistance in setting up safety programs and training their key personnel.

One of the major functions of this Division is the ten-hour safety training course which is presented within plants or institutions throughout the State. During the past two years, 113 of these courses were given, and 2,322 individuals received certificates for completing the full ten hours of instruction.

Another of the services of the Division is to provide trained personnel to assist any industry, institution or municipality with their safety program. Much time and effort is expended by personnel of the Division in study and research to keep abreast of the latest developments in industrial safety, so that current information can be passed on to management and safety directors in response to their

requests for assistance.

The Division has a library of several hundred films covering virtually every aspect of industrial safety. These films are loaned throughout the State, and the maintenance and servicing of the library requires daily attention.

Special activities of the Division include participation by staff members in safety meetings, seminars, conferences and the activities of the Colorado Society of Safety Engineers. During this two-year period, members of the staff appeared before 132 groups and addressed more than 8,000 individuals in these meetings.

On an annual basis the Division requests data on accident frequency and severity from industries throughout Colorado. The returns are analyzed and statistics compiled from which annual safety awards are made to those companies having a satisfactory record.

Owing to a drastically curtailed budget, particularly during the last six months of this fiscal year, this Division has been severely handicapped in its efforts to extend its safety engineering help to organizations and municipalities badly in need of assistance.

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COLORADO APPRENTICESHIP COUNCIL

Mr. John E. Lewis, Director

The State's apprenticeship program provides the opportunity to bring together in a common effort those persons who have something to contribute to the effective training of youth entering industry. It provides for guidance and leadership to youth wishing to become skilled workers in their chosen trades. Equally important, it provides for the guidance and foresight necessary to keep training practices abreast of changing industry needs. The apprenticeship program is a voluntary labor-management effort with the State apprenticeship agency acting as a catalyst in getting the job done.

On July 1, 1961, the Colorado Apprenticeship Council was created by industry, through legislation, as the policy-making body on matters relating to apprenticeship, and to set up criteria and minimum standards for training which must meet or exceed the recommendations of the Federal Committee on Apprenticeship. The Council is also responsible for the fostering and promoting of apprenticeship. The Council provides the means of recognizing and registering apprenticeship program sponsors who meet the established minimum training standards, and provides for the registration, cancellation or suspension of apprenticeship agreements

under recognized programs, and issues certificates of completion of apprenticeship when the provisions of the apprenticeship standards have been met successfully.

DEFINITION OF APPRENTICE

The term "apprentice" means a person at least sixteen years of age who has entered into a written apprenticeship agreement with an employer, an association of employers, an organization of employees, or their agents, or a joint apprenticeship committee, which apprenticeship agreement provides for not less than four thousand hours or two years of reasonably continuous employment for such person and for his participation in an approved program of training through employment and through related education and technical instruction.

ADMINISTRATION OF THE COUNCIL

The apprenticeship law provides for an apprenticeship council, consisting of six members, three from employers and three from employee organizations, representative of recognized participants in the apprenticeship program. The members are appointed by the Governor and serve without compensation. The policies, principles, and standards established by the members are effectuated by the Industrial Commission through the Apprenticeship Director.

Present members are: George E. Westerberg, Council Chairman, from Denver, representing employees; Walter Colson, Denver, representing employees; John J. Donlon, Colorado Springs, representing employees; John Stenmark, Council vice chairman, from Pueblo, representing employers; John W. Hecht, Denver, representing employers; and Stanley White, Grand Junction, representing employers. The Council director serves as executive secretary without vote.

The Council is handicapped in the promotion of apprenticeship by the lack of funds and personnel. The Director of Apprenticeship and one stenographer are the only Council personnel, employed to carry out this program of providing opportunities and protection for the welfare of Colorado's youth.

PROMOTIONAL ACTIVITY

In keeping with industry promotion, 514 consultations have been made with existing and potential program sponsors during the biennium.

Promotional and cooperative activities on a state, national, and community basis have required the director's participation in 493 meetings during the biennium.

The members of the Council have personally carried the State's program to the people of Colorado by participating in Council meetings, open to the public, in all geographical areas of the State. These meetings were designed to make the program more responsive to local needs, to increase awareness in the public and in potential apprenticeship-program sponsors of the desirable features of apprenticeship for the purpose of expanding the number of opportunities for the youth of Colorado to learn worthwhile trades, and to inspire youth to seek careers in the apprenticeable occupations.

So that school guidance and counseling persons will be better prepared to assist our youth in choosing and preparing for their careers, the Council developed and published a document called "Counselor's Guide to Apprenticeable Occupations". In addition to this, a pilot program for presenting occupational information to ninth grade students was held on May 19, 1964. School authorities have requested that this program be repeated continuously. Arrangements have also been made to hold continuous classes on "Study of Apprenticeship" for guidance and counseling persons, starting September 21, 1964. These classes will be held each Monday evening and will be conducted by the Council's director, and with no fees required for the persons enrolled.

REGISTRATION OF PROGRAM SPONSORS AND APPRENTICES

During the period July 1, 1962 through June 30, 1964, the following actions were taken with respect to registration of program sponsors:

Program Sponsor Activity	Construction Trades	Metal Trades	Printing Trades	Service Trades	Totals
New program sponsor registrations	5	2	1	7	15
Revision of training standards and improvement of conditions for apprentices	20	1		2	23
Sponsors' programs cancelled due to inoperative standards	19	12	3	13	47
Sponsors' programs placed on inactive basis due to lack of apprentices in training	<u>8</u>	<u>6</u>	<u>2</u>	<u>11</u>	<u>27</u>
Total registration actions	52	21	6	33	112
Total registered program sponsors as of July 1, 1962 (All trades)					510
Total registered program sponsors as of June 30, 1964 (All trades)					<u>451</u>
Decrease in registered program sponsors in Biennium (All trades)					59

Although there are fewer program sponsors registered today than there were two years ago, one of the purposes of the Council is to recognize through registration only those program sponsors who meet minimum standards, and to remove recognition from those failing to live up to the standards. The improvement of standards and conditions by existing and newly registered program sponsors has resulted in an increase of employers affiliating with sponsored programs and an increase of opportunities for youth in registered apprenticeship as the following statistics will demonstrate:

GAIN OR LOSS OF APPRENTICES BY INDUSTRY 1962-1964

<u>Industry</u>	<u>Active July 1, 1962</u>	<u>Active June 30, 1964</u>	<u>Gain</u>	<u>Loss</u>
Construction trades	1, 144	1, 393	249	
Metal Trades	150	146		4
Printing Trades	70	89	19	
Service Trades	620	666	46	

RECAPITULATION OF ACTIONS TAKEN ON REGISTERED APPRENTICES

Apprentices registered as of July 1, 1962	1, 984
Apprentices registered during period 7/1/62 through 6/30/64	<u>1, 633</u>
"A" Total Registrations through 6/30/64	3, 617

Apprentices cancelled from program, 7/1/62 through 6/30/64	676
Apprentices completing terms of apprenticeship, 7/1/62 - 6/30/64	<u>647</u>
"B" Total apprentices leaving program	1, 323

Total "A".	3, 617
Less Total "B"	<u>1, 323</u>

Total registered apprentices as of June 30, 1964. 2, 294

Registered Apprentices as of July 1, 1962	1, 964
Registered Apprentices as of July 1, 1963	2, 120
Registered Apprentices as of June 30, 1964	2, 294

Gain in Registration of Apprentices during period 7/1/62 through 6/30/64 310

Graduates from Apprenticeship Program, issued trade
Certificate of Completion of Apprenticeship 647

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DIVISION OF SAFETY INSPECTION

Mr. Arthur J. Becker, Director

This report is, measurably, a duplicate of others previously submitted. Repetition is evidenced because many general matters concerned in the past are still existent, and it is made known again because further study and evaluation are warranted, and are respectfully solicited.

Repetition is good, too, in this instance, because it may be assumed that the report will not be limited to administrative reading, but will include a distribution to interested public areas. Down through the years, previous reports have made known that this office, the Safety Inspection Division of the Industrial Commission of Colorado, is established by statute, as are many of its charges and prescribed duties. Chapters 80-3-1 through 80-3-14, Colorado Revised Statutes, 1953, explicitly detail the responsibilities of all concerned.

The value, fundamentals, practices, and objectives of safety, to both life and property, are, in essence, the same today as in the past. However, the areas of activity; the stepped-up pace of living; the constant introduction of new materials, methods, and machinery; new peaks in above and below ground construction; changing of techniques and modus operandi, etc., are all evidenced to a startling degree. To this must be added the tremendous growth in population; the enormous expansion of industry and business; the immense and involving development of construction and building crafts activities; peak enrollments in schools and institutions of learning; maximum demands from all areas of accommodation and services to the public. Following is a brief recapitulation of the Division's activities from July 1, 1962 through June 30, 1964.

RECAPITULATION

Total number of inspections, including special investigations of complaints, accidents, personal and structural injury, etc.	7,803
Total number found conforming with safety requisites, and to which certificates were issued	3,453
Total number found nonconforming and requiring one or more orders and/or recommendations	4,350
Total recommendations made and orders issued (schools, 4,609; industry, and miscellaneous <u>business</u> , 6,407	11,016
Total number of nonconforming places of inspection which complied with the orders given, and to which certificates were issued	1,448

Total number of orders and recommendations which were complied with in the above 1, 448 inspections	3, 762
Total number of certificates of inspection issued	4, 901
Persons concerned and/or affected in the areas inspected; personnel, students, inmates, etc. Schools, 248, 766; Industry and Business, 89, 829; Homes and Institutions, 699; Miscellaneous, 3, 500	342, 794
Number of Building Plans, reviewed and/or approved: Schools, 184; Others, 26	210
Building value of plans submitted for review	103, 257, 625
Special meetings, school boards, city officials, industry and business	130
Safety "talks" and meetings	24

If better results with full coverage of risks, as required by statute, are desired, the answer is to provide more "tools" to do the job. Tools are people, inspectors specifically, office personnel and equipment, records, etc. Very important tools, too, are statutory regulations to govern charges mandated this office in Chapter 80, 1953, CSA. This would permit the effecting of safety requisites by law, and without challenge, as is often evidenced because of our operation under a system of adopted codes.

The minimum personnel and equipment requirements needed to meet the challenge, have been detailed in a separate report prepared by Mr. Ray H. Brannaman, and submitted to the Governor and legislators.

The foregoing excesses are natural results of progressive growth, and are desirable attainments. They do, however, present a corresponding increase in accident potentials, hazardous risks, and a required work load increase. Briefly, what has been recorded up to this point is intended to remind the reader that this is 1964; that the existing statutory provisions for safety inspection and enforcement are criminally lacking and deficient; that the staff charged, by statute, to effect safety in the many specified areas, is wholly inadequate; and that the need for a well-developed, meaningful, and enforceable safety program has never been so challenging as now.

The pattern of only routine inspections is past. Today we find the public more safety conscious than ever. Inspection service demandson this office by individuals and groups have been briskly increased in the past eighteen months. Many new areas or fields are now being cared for that were not done in the past. These

inspections are requested; they are demanded; they are necessitated by known and anonymous complaint, orally and written; they are referred to this office by other state agencies, etc. This activity, and there is much of it, takes the inspectors away from their routine and partially fulfilled duties, and consequently, sharply reduces the total number of annual inspections. By far and large, most are justifiable complaints, and this office is deeply indebted to both labor and management for their safety consciousness in briefing us on the problems concerned.

Even without this "spot" inspection activity, the statutory requirements of inspection frequency ("annually or oftener") have been and are on a two to three year frequency, even in such important and restricted areas as schools, places of public assembly, etc. This limited field means a direct violation of the statutes by foregoing inspections in other specified occupancies and/or activities.

An assumed (not statutory) duty of reviewing and passing-upon plan for all places of public assembly is a most worthy safety activity being carried out by this office. It is a big task and requires the full attention of the Division's principal inspector. Its value can be realized when one notes the voluntary submission of plans for approval by a vast majority of the American Institute of Architects, in Colorado and adjoining states.

Construction activities, governmental projects, Federal inspections, special elevator inspections, are all great in number and are given priority over routine field inspections; and these activities, too, reflect a deficiency in routine finals.

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STATE COMPENSATION INSURANCE FUND
Mr. Herbert C. Wortman, Executive Director

1964 marks the Fiftieth Year of operation of the State Compensation Insurance Fund. The Fund was started in 1915 with a grant of \$50,000 from the State of Colorado, which has long since been repaid. Since that time the Fund's assets have increased to over \$18 million at June 30, 1964. Premiums show a corresponding increase, and in 1963, reached almost \$10 million, an all-time high. It is anticipated that premiums in 1964 will exceed \$10 million.

The Policyholders' Advisory Council takes an active part in assisting the Industrial Commission in the administration of the Fund. The Council is composed of seven members appointed by the Governor, all of whom are policyholders or their representatives.

Three types of compensation insurance are available to employees across the nation--self insurance, insurance with privately owned companies, and insurance

with state compensation insurance funds. Colorado is one of ten states providing all three types of insurance, and one of eighteen states having a state compensation insurance fund.

Policyholders at present number more than 13, 000; an increase of 1, 000 in the past two years. These policyholders realize substantial savings on compensation insurance. Since the Fund is nonprofit, the rates are discounted 30 per cent from suggested manual rates. Also, the Fund usually returns part of the premium in the form of a dividend to policyholders whose losses do not exceed 90 per cent of the premium. The dividend declared for the years 1962 and 1963 totalled \$1, 000, 000. Since the Fund insures all state and local governmental agencies, an additional indirect savings is afforded in the form of lower operating expenses for these agencies, and thus lower taxes.

Great strides were taken in the past two years to improve the efficiency of operation. The latest data processing equipment available was installed during this period, which equipment has speeded services to both policyholders and claimants and has made available much valuable statistical data.

Interest earned on investments held by the Fund totalled \$1, 289, 000 for the years 1962 and 1963, resulting in an average yield of 4. 19 per cent and 4. 21 per cent for these years respectively. By statute, the Fund is limited as to the type of investment that may be purchased. In general, approved investments are U. S. Government bonds; bonds of the State of Colorado and its political subdivisions; and first mortgage loans on Colorado real estate guaranteed by agencies of the United States Government. The Fund's investments are about equally divided among these three types of investments.

The following are summaries of investments held by the Fund and the average rate of return realized:

	<u>Amortized Value of Investments as of:</u>		
	<u>June 30, 1964</u>	<u>December 31, 1963</u>	<u>1962</u>
BONDS			
United States of America	\$5, 678, 000	\$5, 579, 000	\$5, 639, 000
Colorado Municipals	<u>4, 519, 000</u>	<u>4, 533, 000</u>	<u>5, 792, 000</u>
Total Bonds	\$10, 197, 000	\$10, 112, 000	\$11, 431, 000

Amortized Value of Investments as of:

	<u>June 30,</u> <u>1964</u>	<u>December 31,</u> <u>1963</u>	<u>1962</u>
MORTGAGE LOANS			
V. A.	\$3, 312, 000	\$3, 023, 000	\$2, 350, 000
F. H. A.	<u>2, 723, 000</u>	<u>2, 109, 000</u>	<u>1, 454, 000</u>
Total Mortgage Loans	<u>\$6, 035, 000</u>	<u>\$5, 132, 000</u>	<u>\$3, 804, 000</u>
TOTAL INVESTMENTS	<u><u>\$16, 232, 000</u></u>	<u><u>\$15, 244, 000</u></u>	<u><u>\$15, 235, 000</u></u>

Average Yield on Investments

	<u>Bonds</u>	<u>Mortgage Loans</u>	<u>All Investments</u>
1955	2. 45 %		2. 45 %
1956	2. 54		2. 54
1957	2. 81	4. 53 %	2. 85
1958	2. 94	4. 65	3. 06
1959	2. 98	4. 71	3. 16
1960	3. 59	4. 91	3. 80
1961	3. 85	5. 20	4. 16
1962	3. 85	5. 22	4. 19
1963	3. 85	5. 24	4. 23

A steady improvement in yield has been realized since 1955.

Statement of Financial Position

	<u>June 30, 1964</u>	<u>December 31, 1963</u>	<u>December 31, 1962</u>
<u>ADMITTED ASSETS</u>			
Investments - at amortized value . . .	\$16, 232, 000	\$15, 244, 000	\$15, 235, 000
Cash	237, 000	735, 000	352, 000
Estimated premiums earned but not yet received	2, 032, 000	1, 305, 000	1, 391, 000
Accrued interest receivable	<u>111, 000</u>	<u>102, 000</u>	<u>111, 000</u>
	<u>\$18, 612, 000</u>	<u>\$17, 386, 000</u>	<u>\$17, 089, 000</u>
<u>LIABILITIES</u>			
Loss and loss adjustment reserves . .	\$10, 652, 000	\$10, 895, 000	\$10, 514, 000
Unearned premium	2, 046, 000	1, 645, 000	1, 477, 000
Policyholders' deposits	1, 393, 000	1, 285, 000	1, 176, 000
Dividends declared and unpaid to policyholders	266, 000	544, 000	760, 000
Other liabilities	<u>47, 000</u>	<u>67, 000</u>	<u>271, 000</u>
Total liabilities	<u>\$14, 404, 000</u>	<u>\$14, 436, 000</u>	<u>\$14, 198, 000</u>
<u>POLICYHOLDERS' SURPLUS</u>			
Statutory surplus	\$ 500, 000	\$ 500, 000	\$ 500, 000
Voluntary surplus	500, 000	500, 000	600, 000
Unrestricted surplus	<u>3, 208, 000</u>	<u>1, 950, 000</u>	<u>1, 791, 000</u>
Total policyholders' surplus	\$ 4, 208, 000	\$ 2, 950, 000	\$ 2, 891, 000
	<u>\$18, 612, 000</u>	<u>\$17, 386, 000</u>	<u>\$17, 089, 000</u>

Statement of Income and Unrestricted Surplus

	For the Six Months Ended June 30, 1964	For the year ended December 31, 1963	1962
UNDERWRITING INCOME			
Premiums written	\$6,074,000	\$9,722,000	\$8,692,000
Premiums earned	5,624,000	9,569,000	8,501,000
Losses incurred	4,149,000	8,531,000	9,121,000
Operating expenses	567,000	1,135,000	1,023,000
Total losses and expenses	4,716,000	9,666,000	10,144,000
Net underwriting income (loss)	908,000	(97,000)	(1,643,000)
INTEREST INCOME	347,000	638,000	642,000
NET INCOME -			
(LOSS FROM OPERATIONS)	1,255,000	541,000	(1,001,000)
Other income			
Gain on sale or exchange of investments	3,000	13,000	6,000
Miscellaneous	2,000	26,000	3,000
Total other income	5,000	39,000	9,000
NET INCOME	1,260,000	580,000	(992,000)
UNRESTRICTED SURPLUS AT BEGINNING OF PERIOD	1,950,000	1,791,000	1,853,000
Total	3,210,000	2,371,000	861,000
(increase) decrease in voluntary surplus reserves		100,000	1,539,000
(increase) decrease in non- admitted assets	(2,000)	(71,000)	31,000
Dividends to policyholders		(450,000)	(640,000)
UNRESTRICTED SURPLUS AT END OF PERIOD	\$3,208,000	\$1,950,000	\$1,791,000

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WORKMEN'S COMPENSATION CLAIM DIVISION
(Data compiled by Statistical and Accounting Division)

The Workmen's Compensation Claims Division receives and processes all First Report of Accidents. These reports are coded for compilation of statistical data on industrial accidents in the State.

This section also audits all Admissions of Liability by insurance carriers, checking these against Accident Claims and other supporting documents for mathematical accuracy and compliance with the Compensation Act. Each admission is later verified as to full payment of admitted liability before the case is finally considered closed. Disputed claims are referred to the Industrial Commission referees.

The Industrial Commission of Colorado heard 6,231 cases in the two-year period, scheduling 776 separate hearing dockets. The following tables give some of the significant data on Colorado industrial accident experience, compiled in the biennium, July 1, 1962 to July 1, 1964.

SUMMARY OF ORDERS & AWARDS ISSUED BY COMMISSION & REFEREES

	8-1-1915 to 7-1-1964	7-1-1960 to 7-1-1962	7-1-1962 to 7-1-1964	Increase over Previous Biennium.
<u>Compensation:</u>				
Fatal - Granted	4,857	28	53	25
Denied	1,238	42	56	14
Nonfatal- Granted	35,524	922	1,007	85
Denied	12,956	707	903	196
<u>Rehearings:</u>				
Fatal - Granted	250	1	3	2
Denied	392		2	2
Nonfatal- Granted	5,801	282	332	50
Denied	3,400	128	196	68
<u>Lump Sum Settlements:</u>				
Granted	9,697	1,000	1,039	39
Denied	2,589	39	50	11
<u>Facial Disfigurement:</u>				
Granted	1,964	140	289	149
Denied	225	7	7	0
All Other Orders & Awards	32,653	3,291	3,832	541
Total	111,546	6,587	7,769	1,182 - 17.9% increase

FIRST REPORTS OF ACCIDENTS - CLASSIFIED By INDUSTRY

	<u>7/1/60</u> <u>to 7/1/62</u>	<u>7/1/62</u> <u>to 7/1/64</u>	<u>Increase</u> <u>Decrease (-)</u>
Livestock agriculture dlrs & ser- vices, forestry and fishing	2251	2412	161
Metal mining	6399	5238	1161-
Coal mining	1397	1262	135-
Petroleum production	1601	1361	240-
Quarrying	724	576	148-
General construction	8055	8728	673
Heavy construction	6444	5230	1214-
Spec. constructions, trades	10853	12417	1564
Motor vehicle & equipment	1141	1431	290
Misc. Mfg. Industries	1002	731	271-
Trucking & transp. exc. air	5239	5586	347
Air transportation	1038	1120	82
Communications	582	641	59
Utilities	1268	1250	18-
Packing house	6365	6941	576
Grain and feed mills	661	526	135-
Food & Bev. process (other)	5552	6199	647
Apparel & textile mfg.	342	398	56
Lumber products	1600	1825	225
Finished wood & paper prod.	1612	1572	40-

	<u>7/1/60</u> <u>to 7/1/62</u>	<u>7/1/62</u> <u>to 7/1/64</u>	<u>Increase</u> <u>Decrease (-)</u>
Printing and publishing	1309	1380	71
Chemical and allied products	3870	4321	451
Petroleum refining	521	499	22-
Rubber products	1048	1242	194
Leather products	260	377	117
Stone, glass, clay and allied products	2663	3257	594
Iron, steel & prod.	4585	4726	141
Transportation equipment	1096	739	357-
Non-ferrous metal prod.	1745	1567	178-
Electrical machinery mfg.	1120	1288	168
Other machinery mfg.	3278	3038	240-
Auto rep. serv., park lots etc.	4697	4728	31
Misc. repair & hand trades	1203	1513	310
Ordinance mfg.	949	768	181-
Grain storage & elevators	677	736	59
Bulk petroleum plants	490	526	36
Amusements, motion picture	1141	1324	183
Medical & health services	4520	5621	1101
Educ., professional, Religious & charitable service	5319	5988	669
Labor, fraternal, political & trade assns (non-pro trd assns)	517	473	44-
Pipeline trans.	207	256	49

	<u>7/1/60</u> <u>to 7/1/62</u>	<u>7/1/62</u> <u>to 7/1/64</u>	<u>Increase</u> <u>Decrease (-)</u>
Water, sanitary & irrigation	267	331	64
Wholesale trade	5072	6134	1062
Lmbr, bldg material dlrs	1791	1729	62-
Retail gen. mcdse	3302	3794	492
Retail food & liquor	4020	3817	203-
Retail automotive	789	828	39
Retail apparel	343	340	3-
Retail misc.	2271	2075	196-
Restaurants, bars, etc.	3683	4082	399
Filling stations	1105	1182	77
Banks, real estate, ins. etc.	1088	1290	202
Hotels, camps, rooming hses	1827	1871	44
Personal services	987	1048	61
Business services	835	1077	242
Private households	22	29	7
Public agencies	<u>11365</u>	<u>12880</u>	<u>1515</u>
TOTAL	<u>144108</u>	<u>152318</u>	<u>8210</u>

FIRST REPORTS OF ACCIDENTS - CLASSIFIED BY OCCUPATION

Special Trades, Const. workers, Plumbers, Electricians etc.	11954	12253	299
Laborers	6902	3825	3077-
General Construction workers	7482	7963	481

	<u>7/1/60</u> <u>to 7/1/62</u>	<u>7/1/62</u> <u>to 7/1/64</u>	<u>Increase or</u> <u>Decrease over Prev. Bi.</u>
Auto & Airplane mechanics	5550	5279	271-
Chauffeurs	7125	7887	762
Cooks, Waiters, Bartenders, etc.	7057	7606	549
Machinists	5776	5949	173
Factory Workers	5983	7172	1189
Packing House Workers	5534	6117	583
Metal Miners	4822	4176	646-
Store Clerks	3960	4550	590
Doctors, Nurses, Hosp. workers	4787	5866	1079
Janitors, Guards, etc.	3549	4700	1151
Warehousemen	3618	3953	335
Accnts, Bkkprs, Stngrphrs	3237	3337	100
Iron & Steelworkers mfg	2553	1582	971-
Welders, Cutters, Grinders, Tinsmiths	3895	4636	741
Deliverymen	1777	1810	33
Coalminers	1184	1095	89-
Garage & Filling Stat. Attndts., (not mechanics)	1809	2260	451
Oil Workers (not refinery)	1353	1190	163-
Dock Workers	1684	1802	118
Sawmill Loggers	1235	1290	55
Lmbyd Workers, Cabinet Makers	1470	1561	91

	<u>7/1/60 to 7/1/62</u>	<u>7/1/62 to 7/1/64</u>	<u>Increase or Decrease over Prev. Biennium</u>
Teachers & Coaches	1369	1527	158
Police	1205	1212	7
Chemist, Assayers	1321	1289	32-
Linmn, Electrcns (not const)	1410	3245	1835
Farm Workers & Stockmen	1583	1714	131
Sugar Plant Workers	1005	1124	119
Printers	1017	1084	67
Firemen	1206	1155	51-
Rubber Workers	464	690	226
Highway Workers	869	1008	139
Dairy Workers	465	399	66-
Foresters, Tree trimmers	378	401	23
Other Occupations	<u>27520</u>	<u>29611</u>	<u>2091</u>
TOTAL	<u>144108</u>	<u>152318</u>	<u>8210</u>

FIRST REPORTS OF ACCIDENTS - CLASSIFIED BY AGE GROUP

<u>AGE GROUP</u>	<u>7/1/60 Number Accidents</u>	<u>to 7/1/62 Percent of Total</u>	<u>7/1/62 Number Accidents</u>	<u>to 7/1/64 Percent of Total</u>
Under 20	8759	6.08	9186	6.03
20 - 29	37753	26.20	41294	27.11
30 - 39	34060	23.64	34476	22.63
40 - 49	28170	19.55	29329	19.26
50 - 59	17668	12.26	18966	12.45
60 - 69	5512	3.83	5641	3.70
70 - 79	520	.36	521	.34
80 - 87	30	.01	27	.02
Not given	<u>11636</u>	<u>8.07</u>	<u>12878</u>	<u>8.46</u>
TOTAL	<u>144108</u>	<u>100.00</u>	<u>152318</u>	<u>100.00</u>

FIRST REPORTS OF ACCIDENTS - CLASSIFIED BY TYPE OF CARRIER

	<u>7/1/60 to 7/1/62</u>	<u>7/1/62 to 7/1/64</u>	<u>Increase or Decrease over Prev. Biennium</u>
Stock Companies	40718	43261	2543
Mutual Companies	11837	11372	465-
Reciprocal Companies	1224	1082	142-
State Fund	81319	85893	4574
Self Insurers	8695	10355	1660
Non Insurers	315	355	40
TOTAL	<u>144108</u>	<u>152318</u>	<u>8210</u>

COMPENSABLE ACCIDENTS - CLASSIFIED BY LOCATION OF INJURY

	<u>7/1/60 to 7/1/62</u>	<u>7/1/62 to 7/1/64</u>	<u>Increase or Decrease (-) over Prev. Biennium</u>
Neck, Spine & Back	3770	4125	355
Hands	3597	3440	157-
Feet	2355	2326	29-
Head & Face	1056	1068	12
Hernia	1242	1018	224-
Heart	72	77	5
All Other	4922	4909	13-
TOTAL	<u>17014</u>	<u>16963</u>	<u>51-</u>

COMPENSABLE ACCIDENTS - CLASSIFIED BY CAUSATIVE AGENT

	7/1/60 to 7/1/62	7/1/62 to 7/1/64
Machines	2335	2250
Hand Tools	846	765
Explosives, gas, acids & chemicals	235	200
Hot substances	444	417
Dust and Silicates	27	29
Radiation	17	4
Working surfaces	3053	2632
Vehicles	1459	1560
Animals	213	201
Conditions	768	975
Electric & Pneumatic Hand tools	130	94
Other	7487	7836
TOTALS	<u>17014</u>	<u>16963</u>

COMPENSABLE ACCIDENTS - CLASSIFIED BY UNSAFE CONDITIONS

	7/1/60 to 7/1/62	7/1/62 to 7/1/64
Improperly Guarded Agency	1373	796
Defective Agency	1145	1232
Hazardous Arrangement or Procedure	1876	3101
Improper Illumination	18	21
Improper Ventilation	28	18
Unsafe apparel, safety equipment unsafe or lacking	147	131
Employees Physical Condition	534	172
Other unsafe conditions	4034	3252
No unsafe condition or Insufficient data	<u>7859</u>	<u>8240</u>
TOTAL	<u>17014</u>	<u>16963</u>

COMPENSABLE ACCIDENTS - CLASSIFIED BY EXTENT OF DISABILITY

	<u>7/1/60 to 7/1/62</u>	<u>7/1/62 to 7/1/64</u>	<u>Increase or Decrease (-) ov. P. B.</u>
Temporary Disability	16697	16547	150-
Permanent Partial Disability	4548	4373	175-
Permanent Total Disability	45	21	24-
Facial Disfigurement	157	206	49
Fatal	152	165	13
	<u>21599</u>	<u>21312</u>	<u>287-</u>
Accidents included in More than One Category	4585	4349	236-
Compensable Accidents	<u>17014</u>	<u>16963</u>	<u>51-</u>

COMPENSABLE FATAL ACCIDENTS - CLASSIFIED BY INDUSTRY

Construction	51	66	15
Wholesale & Retail Trade & Service Industries	26	36	10
Public Employees	31	32	1
Mining	20	29	9
Manufacturing	19	26	7
Transportation	16	17	1
Lumber	9	10	1
Oil	11	6	5-
Utilities	6	4	2-
Agriculture	--	2	2
	<u>189</u>	<u>228</u>	<u>39</u>
Less Compensable Status Pending	37	63	26
TOTAL	<u>152</u>	<u>165</u>	<u>13</u>

COMPENSABLE FATAL ACCIDENTS By TYPE OF ACCIDENT

Vehicle Accidents	45
Falls	21
Accidents involving heavy machinery	19
Fire & Explosion	17
Falling Rock	9
Other falling objects or heavy material	15
Electrocution	11
Airplane crashes	9
Cave-ins	4
Over-exertion	3
Silicosis	3
Other	9
	<u>165</u>

One ditch cave-in and two silicosis cases were pending as to compensable status at end of year.

TRUST FUND ACCOUNTS

The Trust Fund Accounts consist of funds held in trust for minor dependents of employees fatally injured in covered employment. The Commission may order a sum to be withheld from the compensation payments and deposited at interest in a trust account in the name of the minor dependent. Withdrawal from these accounts are made on order of the Commission for emergency, medical or educational expenses for the minor. A dependent, upon reaching majority, may withdraw the balance of his account.

The Commission makes no charge for administering these trust accounts.

As of June 30, 1964, \$1,517,468.59 was on deposit in 970 accounts. This represents an increase of 224 accounts and \$376,601.59 total deposits over the biennial period ending June 30, 1962.

SUBSEQUENT INJURY FUND

The Subsequent Injury Fund was established by legislation in 1945. Insurance carriers pay the sum of \$6250.00 into this fund for each fatal case in which there are no dependents eligible to receive death benefits, under the Workmen's Compensation Act.

The Fund is used to make continued compensation payments in certain cases in which the employee has been rendered permanently and totally disabled by reason of a second injury or an occupational disease. In cases of a second injury, the insurance carrier's liability is limited to compensation normally due on the specific injury only, and payments thereafter are assumed by the Subsequent Injury Fund.

Balance of the Fund as of June 30, 1962	\$100, 376. 15
Paid into Fund (including interest)	<u>159, 040. 87</u>
	259, 417. 02
Paid out to claimants	<u>35, 453. 75</u>
Balance of Fund as of June 30, 1964	<u><u>\$223, 963. 27</u></u>

Of this Balance \$90, 303. 50 is on deposit with the State Treasurer, and \$133, 659. 77 is invested at interest.

As of June 30, 1964, 14 claimants were receiving payments from the Fund amounting to a total monthly withdrawal of \$1, 874. 51, an increase of two claimants and \$354. 64 monthly withdrawal over June 30, 1962.

OCCUPATIONAL DISEASE DISABILITY

There were 868 cases of Occupational Disease on First Reports. Among these the majority fell into the following classification

Dermatitis and skin poisoning, rash or infection	481
Allergies	87
Bursitis, tenosynovitis & synovitis	57
Silicosis	41
Lung, nasal & throat	32
Lead poisoning	20

Of the 868 First Reports 141 were admitted compensable for payments other than medical bills.

Of 41 Silicosis cases reported, three were fatal, 11 permanent disability, one temporary disability, 11 were denied and 15 cases are pending.

* * * * *

WAGE CLAIMS DIVISION
Mr. H. John Flink, Chief

For the Biennium period of July 1, 1962 to July 1, 1964, the Wage Claims Division of the Industrial Commission has received and investigated a grand total of \$368, 155. 17 in wage claims.

The division has been successful in the collection of justified and unpaid wage claims for a total amount \$198, 727. 69. Deducting from the gross amount a total of \$127, 008. 64 in wage claims had to be referred to the courts or attorneys due to the lack of jurisdiction and enforcement powers. The total of \$42, 418. 84 in wage claims were filed and after investigation found that these claims were not justified.

The procedures were informal and conducted by telephone, personal contact, correspondence and informal conferences.

The following figures represent the total wages collected for the specified periods:

July 1, 1933 to October 31, 1934	\$ 16, 175. 17
December 1, 1934 to December 1, 1936	59, 167. 44
December 1, 1936 to December 1, 1938	49, 518. 22
December 1, 1938 to December 1, 1939	35, 045. 59
December 1, 1940 to December 1, 1942	33, 328. 35
December 1, 1942 to November 1, 1944	27, 780. 05
December 1, 1944 to June 1, 1946	39, 863. 96
July 1, 1946 to July 1, 1948	190, 841. 72
July 1, 1948 to July 1, 1950	72, 731. 96
July 1, 1950 to July 1, 1952	106, 109. 80
July 1, 1952 to July 1, 1954	61, 844. 99
July 1, 1954 to July 1, 1956	61, 824. 59
July 1, 1956 to July 1, 1958	94, 595. 92
July 1, 1958 to July 1, 1960	96, 206. 97
July 1, 1960 to July 1, 1962	87, 836. 15
July 1, 1962 to July 1, 1964	198, 727. 69
TOTAL *	\$1, 231, 598. 57

BOILER INSPECTION DIVISION
(Private and Theatrical Employment Agencies)

Mr. James A. Underwood, Director

The implementation of an amendment to the law has given this division the added responsibility of inspecting hot water boilers in addition to the requirements of steam units.

Inspections of boilers in public buildings, theatres, schools, churches, hospitals, industrial plants and apartments having six or more families are made annually. Exempt from state inspections are boilers in private residences, railroad locomotives use in interstate commerce, and in cities that have requirements comparable to State requirements and perform their own inspections.

The division initiated a survey of hot water boilers July 10, 1961. Some difficulty was experienced at the start due to the lack of an inspector. Since that time a full complement of inspectors are on hand and large communities; i. e. Pueblo, Colorado Springs, and metropolitan Denver have been surveyed and the survey is constant.

The boiler inspection law is designed to protect the public against hazards of life and property damage caused by explosions.

The continuous program of rigid and systematic inspections, enforcing safety requirements, repairs and/or replacement of parts, and condemnation of unsafe boilers, have undoubtedly prevented disasters.

Inspectors file written reports on all inspections. The State accepts inspections by authorized representatives of insurance companies in lieu of inspections by State boiler inspectors; this eliminates a duplication of work and fees.

Job assignments to boiler inspectors are many and varied. To witness hydrostatic tests; inspect new installation and setting of boilers; make special inspections and reinspections where major repairs are under way; determine maximum allowable working pressure; conduct educational programs on care and maintenance of boilers; and discuss requirements with users of boilers, are but a few assignments.

It is apropos to mention all of these inspections and assignments were detailed and time consuming. Close liaison is maintained with engineering staffs of insurance companies, State and municipal departments in effecting compliance with the law and inspection program. Division revenue was received for the following inspections:

6840 boilers @ \$ 2.50	\$17,100.00
4418 boilers @ \$ 5.00	22,090.00
1262 boilers @ \$ 7.50	9,465.00
1903 boilers @ \$10.00	19,030.00
72 boilers @ \$20.00	<u>1,440.00</u>
TOTAL	\$69,125.00

In addition to dividing the State into quadrants for a more thorough inspection program, the hot-water and steam-boiler sections have been streamlined to handle inspection reports, certificates, fees, and other related matters pertinent to each section.

This reorganization has resulted in 45 boilers in one town being picked up for inspection where previously only 2 boilers were registered. This is only one example of the survey and inspection program under way. In the past 90 days, 216 new boilers have been inspected and registered by State boiler inspectors.

The future program will incorporate shop inspections of boilers undergoing major repairs, educational seminars on new procedures of construction, installation, repair, and inspection of boilers.

Close liaison is maintained with engineering staffs of insurance companies, State and municipal departments in effecting compliance with the law and safe operation of boilers. Excellent public relations are enjoyed by this division.

EMPLOYMENT AGENCY DIVISION

Private employment agency license fees are based on the population within the area where the agency is, or will be located. The division confers with all applicants for licenses.

Alleged violations of the law and complaints are handled through the division by means of personal conferences, telephone, and correspondence. Explanations of the legal requirements are usually sufficient to resolve the questions.

Receipts

203 licenses @ \$ 50.00	\$10,150.00
25 licenses @ \$ 25.00	625.00
3 licenses @ \$ 10.00	30.00
*TOTAL	<u>\$10,805.00</u>

*An increase of \$1,590.00 over the previous biennium.

THEATRICAL AGENCIES

Theatrical agencies are licensed through the division and fees are based on Section 171 of the law.

Receipts

22 licenses @ \$100.00	\$2,200.00
5 licenses @ \$ 50.00	250.00
*TOTAL	<u>\$2,450.00</u>

*An increase of \$1,250.00 over the previous biennium.

Close scrutiny and review of applications have resulted in denying licenses to applicants who have questionable ethics. Constant liaison with other State agencies and municipal departments has resulted in wholehearted support and excellent public relations.

* * * * *

MINIMUM WAGE, HOUR, AND CHILD LABOR DIVISION

Richard A. McCabe, Director

This division's responsibility is to administer and to insure compliance with the State wage and hour regulations and laws. To fulfill this responsibility the activities of all concerned are directed toward the determination and the obtainment of complete compliance by employers with the four minimum wage orders issued by the Industrial Commission, with the Women's Eight-Hour Law, and with the Child Labor Law of 1963.

Minimum wage directives have been promulgated for laundries, retail trade stores, beauty shops, and public housekeeping establishments, such as hospitals, restaurants, hotels, motels, et al. There have been 13 Minimum Wage Orders

issued by the Commission since the division began operations in 1937. The present orders Nos. 10, 11, 12, and 13 became effective May 4, 1956, when the latest revisions were completed.

Although wage orders have not been issued to regulate all industries, investigations also are made at manufacturing plants, wholesale establishments, bowling alleys, theatres, amusement places, and many service businesses to determine compliance with the eight-hour law and the child labor law.

Since State wage and hour regulations do not contain provisions applicable to the male employee eighteen years of age and over, investigations primarily are made of establishments employing women and/or minors. A total of 5,312 investigations was made during this biennial period in 183 towns, cities, and communities. In completing these investigations, however, additional calls were made at 2,069 establishments where it was determined that women and minors were not employed. Wages, hours of work and conditions of employment were reported for 33,494 women employees 18 years of age and over, and for 5,417 male and female minors under 18 years of age.

The chart that follows contains the summary for this period July 1, 1962 through June 30, 1964 of the calls made, written investigation reports completed, and the applicable employees involved:

<u>ORDER</u>	<u>INDUSTRY</u>	<u>TOTAL CALLS</u>		<u>EMPLOYEES</u>	
		<u>MADE</u>	<u>WRITTEN</u>	<u>WOMEN</u>	<u>MINORS</u>
10	Laundry	133	119	748	30
11	Retail Trade	3305	1897	10,419	1,389
12	Public Hskpg.	2860	2311	19,493	1,595
13	Beauty Service	228	158	472	0
8-Hr.	Mfg. & Wholesale	166	141	2,362	4
Child					
Labor	Miscellaneous	689	686	0	2,399
	TOTALS	7381	5312	33,494	5,417

There were 323 complaints registered with the division. Investigations were made on 306 of these claims, and the remaining 17 were handled through office conference or correspondence. Among all complaints 106 eventually were dropped for reasons of bankruptcy, employer's disappearance, insufficient evidence, or disclosure of no violation.

Court action was recommended in 28 cases, and at least 3 complainants who followed this course recovered wages due them. Wage adjustments were recorded in 146 cases. The remaining 43 complaints were settled satisfactorily upon securing the cooperation of the employer to adjust his business to comply with the rules.

Over the years, many have benefited through the investigations, routine and complaint, made by the division. It has been responsible in effecting wage adjustments in the amounts shown below:

<u>PERIOD</u>	<u>AMOUNT</u>
7/1/48 - 6/30/50	\$ 5,046.05
7/1/50 - 6/30/52	11,555.59
7/1/52 - 6/30/54	9,220.56
7/1/54 - 6/30/56	10,252.15
7/1/56 - 6/30/58	15,366.57
7/1/58 - 6/30/60	20,085.14
7/1/60 - 6/30/62	21,988.66 *
7/1/62 - 6/30/64	<u>50,859.26 **</u>
TOTAL	\$144,373.98

* Benefited 1,072 employees in 342 businesses.

** Benefited 2,538 employees in 516 businesses.

In the matter of wage adjustments, the division again experienced a new peak biennium. A new high sum amounting to \$50,859.26 was obtained for employees through the efforts of this division. The sum, as indicated above, involved 516 establishments and benefited 2538 employees. As a result of our assistance to employers in clarifying regulations, the errant employers made wage adjustments to comply with the laws.

Employer compliance with wage order regulations in the past six (6) years is reported as follows:

	<u>7/58-7/60</u>	<u>7/60-7/62</u>	<u>7/62-7/64</u>
POSTING	76. 7%	65. 5%	58. 2%
HOURS	92. 5	86. 8	83. 4
WAGE	93. 6	89. 2	88. 9
AGE CERTIFICATE	97. 4	96. 2	97. 8
RECORDS	74. 7	73. 1	83. 0

Both the increased wage adjustment and the decreases in compliance were largely due to more thorough investigations of records, concentrated work in areas that especially needed our attention, and the fact that most employers were found to be paying more than the minimum wage. When the employers feel that they are paying much more than the required minimum wage, they tend to ignore the wage order, failing to read and to post it. The one exception, the increase in record compliance, is especially noted. Can it be possible that our extensive efforts to stress the need for records is finally obtaining results?

Recent division studies show that a substantial number of women employees are receiving less than a living wage. The Commission plans to start the next biennial period by issuing new orders in 1964 to replace the present ones.

EIGHT HOUR LAW

The Women's Eight Hour Law provides for a maximum eight hour day for women employees in manufacturing, mechanical, mercantile establishments, and in hotels, restaurants, and laundries. In cases of emergencies, or in case of processing seasonal agricultural products, overtime may be permitted provided employees are paid time and one-half their regular hourly rate and provided the employer has first obtained an emergency relaxation permit from the Commission.

In the enforcement of this law an important part of the division's work is the issuance of the pertinent permits. A comparison of the number of relaxation permits that have been issued for employers of the various industries covered by the law is given below for the past three biennial periods:

INDUSTRY

7/58-7/60

PERIODS7/60-7/62

7/62-7/64

Manufacturing

316

274

303

Mechanical

2

6

0

Mercantile

684

685

892

Hotel

58

76

84

Restaurant

426

340

508

Laundry

86

63

67

TOTALS

157214441854

Compliance with the Women's Eight Hour Law is determined whenever investigations are made regarding Minimum Wage Orders. In addition to these investigations, inspections were made at 141 manufacturing and wholesale mercantile establishments. Hours of work for 2362 female employees were surveyed, and 27 of the total establishments were found in violation of the law. Proper adjustments to comply with the law were made in these cases.

Failure to secure the relaxation permit before allowing the overtime in emergencies and permitting employees classed as executives to work overtime, are the most frequent violations found.

The latest legislative pronouncement provides an exemption from the law for the occupations identified as office clerical positions.

CHILD LABOR LAW

Child Labor Laws are designed to prevent employment that would interfere with the minor's education, health, and general welfare. Our new child labor law is patented after the Federal Fair Labor Standards Act, child labor provisions, and has increased the coverage to include minors through the age of seventeen. The new law also provides a minimum age of fourteen years. It does not contain the old law's exemption provision permitting equal employment opportunities for the twelve and thirteen-year old child during the summer months of June, July, and August. Rather, it provides for five different occupations which are permissible for a minor at the age of twelve years. These include agricultural work, gardening, babysitting, shoe shining, et al.

The division's responsibility with respect to the enforcement of the law has increased with the expanded coverage of the new law. At the same time it has become

more difficult to enforce, because the requirement for employment certificates has practically been eliminated, which automatically eliminates law enforcement assistance from school authorities. The work permit is the only required form under the new law. A fourteen or fifteen-year old minor must obtain the work permit, and the employer must keep it on file when the minor is working on school days during school hours. The need for any other certificate is no longer required. The law does provide for another form called the "age certificate" to be used as proof of age. This is not a required form. The Federal Law recommends to employers that they obtain and keep on file an age certificate for all minors employed. When there is a question of compliance with the minimum age requirements, our investigators are recommending that employers obtain the age certificate. It is believed that the certificate requirement was eliminated as a means of increasing job opportunities for minors. In another effort to increase job opportunities, the new law permits minors under sixteen to work until 9:30 p. m. rather than 8:00 p. m.

The Industrial Commission cooperates with the U. S. Department of Labor in making employment certificates available to all minors. The division also reports monthly to the Bureau of Labor Standards data from the duplicate certificates received from issuing officers. This division supervises the issuance of the certificates by school superintendents throughout the State. A most cooperative program exists between school superintendents, who are responsible for issuing age certificates and work permits, and our division. The assistance of these school officials in publicizing the law and minimizing the obstacles to legitimate employment of minors is acknowledged and greatly appreciated.

The monthly report giving statistical information concerning the employment of children covered by both the State and Federal laws is compiled from data taken from the duplicate certificates. The following table lists the number of employment certificates issued for minors in three age groups:

EMPLOYMENT & AGE CERTIFICATES ISSUED

Period: July 1, 1962 through May 31, 1963

	<u>Under 14 yrs.</u>	<u>14 and 15 yrs.</u>	<u>16 and 17 yrs.</u>	<u>Total</u>
Denver	35	714	247	996
State (excluding Denver)	138	1332	904	2374

WORK PERMITS & AGE CERTIFICATES ISSUED
(New Law Effective June 1, 1963)

Period:	Under	14 and	16 and	
6/1/63 through 6/30/64	<u>14 yrs.</u>	<u>15 yrs.</u>	<u>17 yrs.</u>	<u>Total</u>
Denver	25	800	398	1223
State (excluding Denver)	157	1922	1282	3361
TOTALS	355	4768	2831	7954

With the elimination of certificate requirements, there has been a reduction of certificates issued. Making a comparison with the last biennium, there was a total of 9285 certificates issued between July 1, 1960 and July 1, 1962.

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MIGRATORY LABOR

By: Richard E. Moss, Acting Director

Migratory Labor has been about the same level since the past biennium period. Under the annual schedule work program there are approximately 3500 domestic laborers, and during the peak of the season about 6300 Mexican Nationals working in the agricultural fields. During the peach harvest this past season, about 1000 negroes migrated into that area. In the overall program, it is estimated that over 20,000 laborers were employed in the fields.

Wages are on the same level as in 1962. Indications are that there will be very little change in the wage scale for the future.

Generally, the labor contractors have complied with the provisions of House Bill 62 and have forwarded the payroll records to this Commission. The Industrial Commission has no complaints for nonpayment of wages.

The Legislative Committee has completed the survey on Migratory Labor and the Legislative Council prepared its report for the Colorado General Assembly. Until the Legislature makes the necessary amendments to the Act, providing funds for personnel for enforcement and travel, the Industrial Commission is helpless to improve or enforce the Act in its present form. At present our efforts can only be to the extent as in the past.

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DEPARTMENT OF EMPLOYMENT SECURITY

Mr. Bernard E. Teets, Executive Director

The Industrial Commission of Colorado serves, ex-officio, as the Unemployment Compensation Commission in providing a higher authority to hear appeals from the decision of the referee in unemployment insurance cases. It also is legally responsible for adoption of all regulations required under the Employment Security Act.

As the higher appeals authority, the Industrial Commission received and disposed of 686 appeals from Department decisions, involving 686 claimants.

Six hundred eighty-six decisions were rendered, of which 149 were in favor of the appellant and 537 were unfavorable. This appeals load of 686 was 146 per cent greater than that received during the preceding biennium. In addition, the Industrial Commission rendered 174 review decisions, of which 9 were favorable to the appellant and 165 were unfavorable.

Until July 1, 1963, the Industrial Commission was required under Section 82-4-11 of the Colorado Employment Security Act to determine whether any work stoppage is due to a strike, and if so, what categories of workers are involved. Effective July 1, 1963, the Department of Employment Security renders decisions involving strikes or other labor disputes. During the period July 1, 1962 through June 30, 1963, the Commission was called upon to determine the issue involved in 12 labor disputes. In 11 cases the Commission held that stoppages of work due to strikes did exist, and established the grades or classes of workers who were disqualified from receiving unemployment benefits. In one case the Commission held that the refusal of employees to continue in their employment did not constitute a strike within the meaning of the Colorado Employment Security Act.

COLORADO SUPREME COURT DECISIONS

Table of Cases

Industrial Commission, et al, vs. Archie Vigil. July 2, 1962	373 P. 2nd 308	Upheld.
Evelyn Gugas vs. Industrial Commission, et al. September 24, 1962	374 P. 2nd 702	Upheld.
Industrial Commission, et al, vs. Wanda Peterson. December 24, 1962	377 P. 2nd 542	Upheld.
Martin K. Eby Construction Co., Inc. vs. Industrial Commission, et al. January 7, 1963	377 P. 2nd 745	Upheld.

University of Denver-Colorado Seminary and University Park Campus vs. Marian Edman Johnston.
February 18, 1963 378 P. 2nd 830 Upheld.

Colorado Fuel & Iron Corporation vs. Industrial Commission, et al.
November 5, 1962 379 P. 2nd 153 Upheld.

Leo Parrish, et al, vs. Industrial Commission, et al.
March 4, 1963 379 P. 2nd 384 Upheld.

Tri-State Insurance Company, et al, vs. Industrial Commission, et al.
February 25, 1963 379 P. 2nd 388 Upheld.

Empire Oldsmobile, Inc., et al, vs. Ralph E. McLain.
February 25, 1963 379 P. 2nd 402 Reversed.

Colorado Fuel & Iron Corporation vs. Industrial Commission, et al.
March 25, 1963 380 P. 2nd 28 Upheld.

Hawkeye-Security Insurance Co., et al, vs. Clinton S. Tupper, et al.
March 25, 1963 380 P. 2nd 31 Reversed, in part.

Industrial Commission, et al, vs. Randy La Verne Spoo, et al.
March 18, 1963 380 P. 2nd 49 Upheld.

State Compensation Insurance Fund vs. Richard G. Lyttle, et al.
March 25, 1963 380 P. 2nd 62 Reversed.

Industrial Commission, et al, vs. Harry J. Wolfer.
April 29, 1963 381 P. 2nd 19 Upheld.

Pioneer Construction Company, et al, vs. Lillian Beatrice Davis, et al.
April 15, 1963 381 P. 2nd 22 Reversed.

Maxine G. Skinner, et al, vs. Industrial Commission, et al.
April 8, 1963 381 P. 2nd 253 Upheld.

Colorado Fuel & Iron Corporation vs. Industrial Commission, et al.
May 6, 1963 381 P. 2nd 267 Reversed.

John Wesley Bowlus vs. Industrial Commission, et al.
July 15, 1963 383 P. 2nd 789 Upheld.

John B. Hood vs. Industrial Commission, et al. September 23, 1963	385 P. 2nd 256	Upheld.
Maryland Casualty Company, et al, vs. Alvin L. Kravig, et al. October 7, 1963	385 P. 2nd 669	Reversed.
State Compensation Insurance Fund vs. Albert C. Stampfel, et al. November 12, 1963	386 P. 2nd 582	Upheld.
Simpson and Company, et al, vs. John B. Wheeler, et al. November 18, 1963	386 P. 2nd 976	Upheld.
Robert D. Classen vs. Mountain States Telephone & Telegraph Co., et al. December 2, 1963	387 P. 2nd 264	Upheld.
Thomas L. Powers vs. Wm. Van Genderen Company, et al. December 2, 1963	387 P. 2nd 285	Reversed.
Melba Hall, et al, vs. State Compensation Insurance Fund. December 30, 1963	387 P. 2nd 899	Reversed.
Brush Hay and Milling Company, et al, vs. Wayne W. Small. December 23, 1963	388 P. 2nd 84	Upheld.
Rogers, Inc., et al, vs. Phillip Fishman, et al. January 27, 1964	388 P. 2nd 755	Upheld.
Electric Mutual Liability Insurance Co., et al vs. Industrial Commission, et al. April 27, 1964	391 P. 2nd 677	Upheld.
State Compensation Insurance Fund vs. Carol J. Coleman, et al. June 1, 1964	S. C. No. 20805	Upheld.
Maurice F. Murphey, et al, vs. Lucy Marquez, et al. June 8, 1964	S. C. No. 20848	Reversed.

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