

**FIRST REPORT OF THE INDUSTRIAL  
ACCIDENT BOARD OF THE STATE  
OF CALIFORNIA, FROM  
SEPTEMBER  
1, 1911, TO DECEMBER 31, 1912**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649263707

First report of the Industrial Accident Board of the State of California, from september 1, 1911, to december 31,1912 by Various

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**VARIOUS**

**FIRST REPORT OF THE INDUSTRIAL  
ACCIDENT BOARD OF THE STATE  
OF CALIFORNIA, FROM  
SEPTEMBER  
1, 1911, TO DECEMBER 31, 1912**



52

92

FIRST REPORT

OF THE

92

# INDUSTRIAL ACCIDENT BOARD

OF THE

## STATE OF CALIFORNIA

From September 1, 1911, to December 31, 1912

MEMBERS OF BOARD:

A. J. PILLSBURY, Chairman

WILL J. FRENCH

WILLIS I. MORRISON

Address: Royal Insurance Building, 201 Sansome Street

SAN FRANCISCO



0

FRIEND WM. RICHARDSON, SUPERINTENDENT OF STATE PRINTING  
SACRAMENTO, CALIFORNIA  
1913

9/24/05

## SUMMARY OF INDUSTRIAL ACCIDENT BOARD'S REPORT.

### Deaths.

Four hundred and twelve (412) men lost their lives in the State of California during the year 1912 as the result of industrial accidents.

### Accidents.

Ten thousand three hundred and eighty-five (10,385) men and women suffered disability while employed in the industries. (The deaths are included in the 10,385 cases.) Of this number 753 reports were unavailable for statistical purposes under the law, because of accidents causing loss of time of less than seven days and those occurring to agricultural employees. Consequently there were left 9,627 injuries for tabulation.

### Permanent Disabilities.

Five hundred and thirty-four (534) accidents, or 5.54 per cent, resulted in crippling for life. The average impairment of physical power, it is estimated, was 25 per cent. Two (2) men were totally and permanently disabled.

### Temporary Disabilities.

Eight thousand six hundred and eighty-one (8,681) persons suffered temporary injuries, lasting anywhere from one week to six months, but resulting in complete recovery. This constituted 90.23 per cent of the total cases tabulated, and agrees closely with the combined experience of Germany, Austria, Russia and Italy, where the temporary disabilities are rated at 82 per cent.

### The Full Accident List.

Inasmuch as the law requiring the reporting of accidents took effect late in 1912, and agricultural and horticultural pursuits were exempted, as well as domestic service, added to the exclusion of those accidents causing disability of less than seven days, it is safe to say that probably the total number of accidents nearly doubled those tabulated by the Board.

### Average Age.

The statistics show that 35 years was the average age of those killed in industry. Those permanently hurt averaged 52.5 years, while the temporary disabilities give an average of 34 years.

### Loss in Wages.

Taking the average and estimating up to the age of 65 years, each death showed a wage loss of \$25,375.33, the average weekly wage being \$19. The 412 fatalities give a total wage loss, on this computation, of \$10,454,637. The average weekly wage of the 534 permanently disabled was \$17.54. The average loss of earning power is \$6,280, and the total loss is estimated at \$3,353,520. The 8,681 cases of temporary disability (averaging 28 days in duration) show the average weekly wage to be \$18.10, the aggregate loss of industrial time to be 662 years, and the loss of wages \$729,083.76. The wage loss from these three sources totals \$14,537,240.76.

### Financial Aid for the Injured.

Of the 9,627 men and women injured by industry in California during 1912, 4,311 received financial assistance. Of the latter number 912 were under the compensation provisions of the Roseberry law, and were paid according to the schedule. The 8,715 cases under liability were successful in but 3,396 instances in negotiating for settlements, and many of these settlements were unsatisfactory to the injured.

### Compensation.

Only ten of the 912 disabilities under compensation necessitated formal hearings by the Industrial Accident Board. In many instances help was rendered where

needed to avoid friction and to point the way to the proper observance of the law, the members of the Board believing that this course was beneficial to both employers and employees by preventing delay in payments or any ill-feeling between the contending parties.

#### Liability.

It was possible to help injured men and women under liability. The Board's investigations dealt with over 9,000 such injuries. While legal jurisdiction was lacking, yet explanation of the status of callers and of those who wrote from distant points, and advice combined with interest taken in all industrial disabilities, resulted in securing better settlements for some than would otherwise have been the case. The publicity given to the appeal of the hurt man, added to the collection of reports of settlements for the Board's statistics, aided somewhat in improving a heretofore lamentable condition of affairs.

#### Election of Employers.

Five hundred and three (503) employers accepted the compensation provisions of the Roseberry law from September 1, 1911, to December 31, 1912. About 45,000 wage earners were employed in the 503 occupations. Employers in construction work elected in the largest number (164), and it is interesting to note that 22 farms and orchards are included in the list. Of the total of 503 acceptances, only 28 were from public-service corporations.

#### Influence of Insurance Rates.

There is no doubt that the average rate of the insurance carriers militated materially against the election of compensation by employers. While liability cost, on the average, \$1.71 upon each \$100 of pay roll, compensation coverage was listed at \$5.18 per \$100. This increase, exactly three times over that of liability, is considered excessive, and the experience of Wisconsin and Michigan shows that there is no just ground for such a variance in figures.

#### Liability Insurance.

In the body of the report are given facts and figures dealing with insurance under the liability system. It is there clearly shown that the basis of liability is wrong, for it does not even pretend to deal with the injured man and his needs, or the dependents of those killed, excepting in those rare cases where liability exists and a settlement is made to avoid litigation. The liability contract is an agreement between the insurance company and the employer. The company undertakes to protect the employer against the consequence of law suits, up to a limited amount, and the employer simply pays for that service. In no other form of insurance is the prime cause of a contract treated as are the killed and wounded and their dependents under liability legislation.

#### Compulsory Compensation Favored.

On October 10, 1911, by a majority of 82,312, the voters of California adopted an amendment to the Constitution which authorized the legislature to enact a compulsory compensation law. This majority is so large that there is no doubt of the attitude of California's citizens.

#### Cost of Compensation.

There is good reason for stating that compensation will cost less than liability, that it will enable the injured worker to secure a percentage of his wages when he needs help most, and without waiting too long or taking a chance in the courts, that the relations between employers and employees will be better, and, above all, that the State will protect itself from one of the causes of poverty and suffering by placing on the statute books laws that will protect the workers in a reasonable manner. The problem of relieving the workers and their families from carrying all, or nearly all, the financial cost, to say nothing of the risks they daily take in industry, is one that has caused a revolution of old methods and the extinction of liability insurance on the continent of Europe. The United States should learn the lesson taught by that experience.



**Roseberry Law Leads the Way.**

The publicity given to employers' liability and kindred subjects since the passage of the law of 1911 has been aided by the Industrial Accident Board in different ways. Groups of men and women have been addressed on innumerable occasions. Literature has been distributed. The press of the State has freely responded to requests to print articles prepared by the Board. The elimination of the common-law defenses under the liability side of the law, added to the introduction of the compensation provisions, have resulted in a marked increase in safety precautions. Plants that never heretofore paid attention to this important matter are now installing, or have installed, devices to protect the employees; and everywhere the doctrine of safety has met with cordial response. It is indefinitely better to prevent accidents than to pay for them, and decidedly more satisfactory to those who take the perils that come from rapidly-moving machinery. It is impossible to speak of the Roseberry law merely in cold figures. It has paved the way, and its operation for sixteen months has been successful particularly in that, for the first time, the people of California have had their attention riveted on the industrial accident field.

**The Proposed Schedule.**

Realizing that the Roseberry law is deficient in providing compensation to fit the needs of the injured by taking into consideration the nature of the physical injury or disfigurement, the occupation and the age, the Board accordingly prepared a new schedule, carefully graduated. In conjunction therewith, full medical and surgical relief is included. It is believed the cost will not be more than under the present law. Instead of a waiting period of one week, two weeks will pass before the injured person is entitled to compensation. This saving will furnish compensation during life for those seriously and permanently hurt, and whose earning capacities are materially lessened. Employers will be given the option of insuring with the State Compensation Insurance Fund. The Safety Department is of prime importance, for its object will be to prevent deaths and accidents to the wage earners so far as is possible by organized precaution.

**State Not Under Compensation.**

The Supreme Court decided that the State was not under compensation unless it so elected. This ruling was based on the Fred Miller test case.

**Comparative Costs.**

A section of the report deals with the cost of compensation. Because of want of reliable data for the United States, European experience forms the foundation for the deductions. It is interesting to note the similarity in many respects, although we kill at the ratio of 8.1 to 100, while in Europe the ratio is 1 per cent. Permanent disabilities average 7 per cent in Europe, while in California the rate is 4 per cent. Temporary disabilities are practically the same.

**Tabulation.**

The tables at the end of the report have been carefully compiled, and give detailed information of the number of accidents, their causes, and the related data that will prove valuable as the first official document of the kind issued by the State of California.

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36

37

38

39

40

41

42

43

44

45

46

47

48

49

50

51

52

53

54

55

56

57

58

59

60

61

62

63

64

65

66

67

68

69

70

71

72

73

74

75

76

77

78

79

80

81

82

83

84

85

86

87

88

89

90

91

92

93

94

95

96

97

98

99

100

---

# REPORT OF THE INDUSTRIAL ACCIDENT BOARD

From September 1, 1911, to December 31, 1912.

To Honorable **HIRAM W. JOHNSON**,  
*Governor of California.*

DEAR SIR: In obedience to the requirements of section 5 of chapter 39, approved January 2, 1912, we herewith report the results of investigations made in relation to industrial accidents sustained in California during the year 1912, together with such other matters connected with the administration of the Roseberry liability and compensation law as seem likely to be of interest to you and to the people of the State of California.

## ORGANIZATION.

The Industrial Accident Board was organized September 1, 1911, by the election of A. J. Pillsbury, chairman, and A. L. Sapiro, secretary. Offices were obtained in the Royal Insurance Building, at the corner of Pine and Sansome streets, San Francisco, and the Board entered immediately upon the task of acquainting the people of the State with the tenor and effect of the Roseberry liability and compensation law, chapter 399 of the Laws of 1911, which act had received executive approval April 8th of that year.

In making the people familiar with the intent and terms of the act, the Board was heartily assisted by the press of the State. Many articles explanatory of the provisions of the act, prepared in the office of the Board and sent out to the papers of the State, were published.

All invitations to address public meetings and sessions of committees and special organizations were accepted by the members of the Board and scores of such addresses were delivered in different parts of the State. A pamphlet containing the law and comments upon the provisions thereof was prepared by the Board and copies sent to all interested persons and, in addition to other methods of giving publicity to the terms of the act, a voluminous and state-wide correspondence was carried on with employers and employees.

## PRIVATE CONFERENCES.

In addition to the above-mentioned methods of acquainting the public with the provisions of the compensation law many hundreds, even thousands, of persons have called at the office in San Francisco, or upon Mr. Willis I. Morrison at his Los Angeles office, for information or advice in relation to their rights and obligations under the compensation provisions of the act. The subject has been gone over with each of these persons with patience and thoroughness to the end that they go not away empty handed. Many hundreds of these had sustained injuries,