

SANITATION AND ADEQUATE SHELTER FOR RAILROAD CLERICAL, PLATFORM, FREIGHT HOUSE AND EXPRESS EMPLOYEES

(By authority of Act No. 419, Public Acts of 1919 [CL 1948, § 460.51 et seq.]

R 460.1461. Sec. 1. Jurisdiction, discretion, request.

Adequate facilities of sanitation and shelter for railroad clerical, platform, freight house and express employees shall be provided by all railroad companies under the jurisdiction of this commission in accordance with the following regulations, if in the judgment of the commission after investigation and hearing, if requested, such facilities, or any of them, are necessary for the health and welfare of said railroad employees.

HISTORY: 1954 ACS 20, p. 15.

R 460.1462. Sec. 2. Office employees.

Railroad offices such as general offices, freight offices, yard offices, ticket offices and express offices, shall be reasonably clean, heated and ventilated; further, the employer shall provide sufficient toilet facilities for female and male employees in those offices.

HISTORY: 1954 ACS 20, p. 15.

R 460.1463. Sec. 3. Employees performing service outdoors.

At locations where change of wearing apparel is required at which yard clerks, car checkers, freight house employees, mail and/or baggage handlers and express employees are employed, lockers will be provided at points where such employees are required to report for duty or are relieved from duty, and where 10 or more are employed, the locker area, which shall be partitioned and adequately heated and lighted, shall consist of not less than 80 square feet of clear floor space for each such 10 employees on duty at 1 time. Where lockers are not now provided, a sufficient number of metal lockers shall be provided, the inside dimensions of which shall not be less than 72 inches high, 15 inches wide and 18 inches deep, save that, in such locations where larger lockers shall be deemed necessary, they shall be provided as shall be agreed to between the railroad company and its employees. Said lockers shall be equipped on the inside with a top shelf, and not less than 1 clothes hook on each side, a hanger bar, and also sufficient openings in the door for the purpose of ventilation. Tables and benches or chairs, in accordance with the number of employees using the facilities, shall be furnished.

HISTORY: 1954 ACS 20, p. 15.

R 460.1464. Sec. 4. General requirements.

The following standards shall apply to facilities of sanitation and shelter furnished for all railroad clerical, platform, freight house and express employees in office and yard service:

(a) Where running water and sewers are reasonably available or where physical conditions and laws, ordinances and public authorities permit the use of septic tanks in lieu of sewers, the employer shall provide hot and cold running water and suitable, adequate and convenient water closet and washing facilities, separate for each sex and plainly designated. Such facilities shall be adequately lighted, ventilated and maintained; every toilet shall be arranged so as to assure privacy in use; and flush toilets shall be provided in accordance with the following minimum requirements.

Number of Persons	Number of Toilets
1 to 10	1
11 to 24	2
25 to 49	3
50 to 100	5
100 or over	1 for each additional 25 persons

(b) Wherever urinals are provided, 1 urinal may be substituted for 1 toilet provided the number of toilets shall not be reduced to less than $\frac{2}{3}$ the number shown in the above table.

(c) All inside toilet facilities shall be made of materials impervious and resistant to moisture, and shall be fitted with individual flush system. In the case of urinals, the water may be allowed to run continuously.

(d) The walls of compartments or partitions between toilet fixtures may be less than room height, but the top shall not be less than 5 feet from the floor and the bottom not more than 1 foot from the floor.

(e) An adequate supply of cool, sanitary water, satisfactory for drinking purposes, shall be made available. The company shall furnish individual drinking cups in all offices or other facilities where drinking fountains or bubblers are not furnished.

(f) During the period of the year in which insects are prevalent, screens will be furnished for the windows and doors.

HISTORY: 1954 ACS 20, p. 16.

R 460.1465. Sec. 5. Running facilities.

(a) Baggage and express cars, when occupied by employees coming under the provisions of these rules and regulations, while moving in trains, either will have drinking water, toilet and washing facilities, or if not so equipped, will be arranged in the train that employees required to ride such cars will have access to drinking water, toilet, and washing facilities.

HISTORY: 1954 ACS 20, p. 16.

R 460.1466. Sec. 6. Construction and maintenance of outside toilets used by employees.

(a) The commission may, after proper investigation, hearing and order in the matter, permit the installation and maintenance of outside toilet facilities, where it is found otherwise impractical to install inside toilet and urinal facilities.

(b) Where outside toilets are installed and maintained in accordance with the above paragraph, they shall be located on ground that is well drained and where there is no possibility of contaminating any drinking water supply.

(c) Suitable approach, such as concrete, gravel or cinder walk, shall be provided.

(d) All windows, ventilators, and other openings, except doors, shall be screened to prevent the entrance of insects. A separate ventilator duct, with hood, shall be provided for the vault, and shall extend above the roof.

(e) The entire installation must be kept clean and sanitary. Milk of lime (freshly slaked lime) or other equally effective disinfectant, shall be used in the vault and in the urinal trough, in sufficient quantities and at frequent intervals.

HISTORY: 1954 ACS 20, p. 16.

R 460. 1467. Sec. 7. Existing facilities; continuance.

Any shelter and sanitary facilities which have been constructed and are presently being maintained in accordance with an agreement heretofore entered into between the parties in interest, and agreed to or ordered by the commission, shall be deemed a complete compliance with these rules and regulations, until such time as a specific complaint is filed with the commission claiming that, on account of changes made in the uses of the facilities, such facilities are inadequate: Provided, nothing herein shall be construed to abrogate or limit any agreement between the interested parties now in effect which provides for better or more adequate facilities, or to prevent the negotiations of such an agreement in the future.

HISTORY: 1954 ACS 20, p. 17.

R 460. 1468. Sec. 8. Same; complaint.

In the absence of specific complaint, present facilities shall be deemed adequate. In the event of a complaint filed hereafter in respect of such facilities, and the commission shall find the same inadequate, the railroad company involved shall have a reasonable time in which to complete the work required in the light of the then existing situation, circumstances, and conditions.

HISTORY: 1954 ACS 20, p. 17.

R 460. 1469. Sec. 9. Hearing.

In the event of any dispute or disagreement between any employee and any employer as to the intent, meaning and interpretation of any or all of the rules hereinabove set forth, the commission reserves unto itself the right to set a hearing thereon, and to issue appropriate order or orders, aso as to effectuate and carry out the intent and purpose of said rules.

HISTORY: 1954 ACS 20, p. 17.

R 460. 1470. Sec. 10. Relief, modification of rules.

Any railroad company being of the opinion that the application or enforcement of these rules, or any part thereof, at any particular place, will be unjust or unreasonable, may apply to the commission for relief therefrom, and the commission may, by written order, relieve said railroad company from the application of these rules, or any part thereof, at such place, or modify the same in such manner and to such extent as shall be just and reasonable.

HISTORY: 1954 ACS 20, p. 17.

**RULES AND REGULATIONS RELATING TO SANITATION AND ADEQUATE
SHELTER FOR CERTAIN RAILROAD EMPLOYEES**

By authority of Act No. 3, Public Acts of 1939, as amended [CL 1948, § 460.1]

R 460. 1471. Sec. 1–Definitions

The words and phrases used herein shall be construed as follows, unless the context shall otherwise require:

(a) The term “localized facilities,” when used herein, shall mean those facilities of sanitation or shelter for the welfare and health of railroad trainmen, enginemen and yardmen, which facilities are to be maintained at points where employees are required to report for duty or relieved from duty.

(b) The term “highway crossing shanty,” when used herein, shall mean a building at which public

highway crossing watchmen are regularly stationed for performance of their duties.

(c) The term “running facilities,” when used herein, shall mean those facilities of sanitation or shelter to be maintained on engines, trains or cabooses for the welfare and health of railroad trainmen, enginemen and yardmen.

(d) The term “camp facilities,” when used herein, shall mean those facilities of sanitation or shelter for the welfare and health of maintenance of way employees, when such facilities are to be maintained at railroad camps of a permanent or seasonal nature, or are located in movable cars when used for housing maintenance of way employees.

(e) The term “crossing watchmen,” when used herein, shall include such employees as are used in the flagging of public highway crossings or in the actual operation of manually controlled gates, public highway crossing signals, or other appurtenances having to do with the protection of such crossings.

(f) The term “section house facilities,” when used herein, shall mean the shelter facilities maintained for maintenance of way employees at points where such employees report for duty or are relieved from duty.

HISTORY: ACS 18, p. 45.

R 460.1472. Sec. 2—Localized facilities

Adequate localized facilities, as defined in section 1 (a) hereof, consisting, as in each location may be necessary, of the following facilities, installed and maintained as specified, shall be furnished by all railroad companies under the jurisdiction of this commission, if, in the judgment of the commission, such facilities, or any of them, are necessary for the welfare and health of the above mentioned employees:

(a) There shall be provided a locker room, separate from the toilet room by solid partitions, where the employees may change their clothing. The area of such room shall not be less than 80 square feet of clear floor space for 10 employees, and adequate space to be added for additional employees.

Necessary benches and tables shall be provided.

(b) Where lockers are not now provided, a sufficient number of metal lockers shall be provided, the dimensions of which shall not be less than 72 inches high, 15 inches wide and 18 inches deep, save that, in such locations where larger lockers shall be deemed necessary, they shall be provided as shall be agreed to between the railroad company and its employees. Said lockers shall be equipped on the inside with a top shelf, and not less than 1 clothes hook on each side, a hanger bar, and also sufficient openings in the door for the purpose of ventilation.

(c) Where running water and sewers are reasonably available or where physical conditions and ordinances permit the use of septic tanks in lieu of sewers, hot and cold running water, sufficient wash bowls and shower facilities, and flush toilets in accordance with the following minimum requirements, shall be provided:

Number of Persons .	Number of Toilets
1 to 10	1
11 to 24	2
25 to 49	3
50 to 100	5
100 or over	1 for each additional 25 persons

(d) Wherever urinals are provided, 1 urinal may be substituted for 1 toilet, provided the number of toilets shall not be reduced to less than 2/3 the number shown in the above table.

(e) If practical, every toilet room shall be so located as to open to the outside light and air by windows or skylights.

(f) All inside toilet facilities shall be made of materials impervious and resistant to moisture, and shall be fitted with individual flush systems. In the case of urinals, the water may be allowed to run continuously.

(g) The walls of compartments or partitions between toilet fixtures may be less than room height, but the top shall not be less than 5 feet from the floor and the bottom not more than 1 foot from the floor.

(h) An adequate supply of cool, sanitary water, satisfactory for drinking purposes, shall be made available to all employees. Where necessary, this water shall be provided in suitable sanitary containers, conveniently placed for the use of the above mentioned employees, and each container will be equipped with a faucet or other dispenser. The company shall furnish individual drinking cups.

(i) Locker and toilet rooms shall be adequately heated, ventilated, lighted, and provided with screens, and said facilities shall be kept reasonably clean by the employer.

HISTORY: ACS 18, p . 46.

R 460.1473. Sec. 3–Running Facilities

(a) Adequate toilet facilities shall be made available for trainmen, enginemen and yardmen, after hearing thereon and order by the commission, which toilet facilities shall be kept in a reasonably clean and sanitary condition.

(b) All yard diesels shall have the floors cleaned and the windows washed at reasonable intervals.

(c) All cabooses shall have the interior washed once each year. Road cabooses used on trains handling ore in open top equipment, and all yard and transfer cabooses, shall have the floors scrubbed or mopped once each month. Other road cabooses on any run shall have the floors scrubbed or mopped once each month, if the crew using same request it.

Windows on all cabooses shall be washed once a month, except in freezing weather.

(d) When required by the season of the year, doors and windows of cabooses shall be equipped with adequate metal stripping. Similarly, when required by the season of the year, cabooses shall be equipped with screen doors or screen panels, and windows on each side of each caboose shall be screened. Sliding screen windows, however, shall be deemed adequate.

(e) An adequate supply of cool, sanitary water, satisfactory for drinking purposes, shall be made available for the use of trainmen, enginemen and yardmen. Suitable sanitary containers, equipped with a faucet or other dispenser, shall be maintained on cabooses and locomotives, and individual drinking cups shall be furnished by the company.

(f) Every caboose used in any train in this state, regardless of service, shall be provided with a stove

or other adequate means of heating. A sufficient amount of fuel for the trip or shift shall be made available.

(g) Baggage and express cars, when occupied by employees coming under the provisions of this act, will be so arranged in the train that employees required to ride such cars will have access to the drinking water, toilet and washing facilities provided in a coach in said train; and, if it is found impractical to so arrange said cars in the train, then drinking water, toilet and washing facilities must be furnished for the employees riding said cars upon formal order of and by the commission.

HISTORY: 1944 ACS 18, p. 46; 1954 AC, p. 6324; 1954 ACS 1, p. 35.

R 460.1474. Sec. 4—Crossing watchmen facilities

(a) Adequate shelter shall be furnished for crossing watchmen, and said shelter shall be properly sealed and insulated against cold, and heated.

(b) If, in the judgment of the commission, it is practical, toilet and washing facilities will be furnished as the commission may require, after inspection and agreement or hearing in the matter.

HISTORY: ACS 18, p. 47.

R 460.1475. Sec. 5—Camp facilities

*****Pre-empted by FRA regulations.**

R 460.1476. Sec. 6—Section houses

Adequate shelter facilities, located in section houses or other suitable buildings, consisting, as in the individual case may be necessary, of the following appliances, installed and maintained as specified, shall be furnished by all railroad companies under the jurisdiction of this commission for regularly assigned maintenance of way employees, at points where such employees are required to report for duty or are relieved from duty, as, in the judgment of the commission, after investigation, and hearing, if requested, such facilities, or any of them, are necessary for the welfare and health of the above mentioned employees:

(a) There shall be provided space, adequate for the number of employees using said facilities, where employees may change their clothing, furnished with tables and benches or chairs, in accordance with the number of employees using the facilities. Where lockers are not now provided, and the same are requested by the employees using the individual facility, a sufficient number of metal lockers shall be provided to meet the requirements of said employees.

(b) During the period of the year in which insects are prevalent, screens will be furnished for the windows and doors.

(c) The space designated as shelter will be partitioned, sealed and adequately heated and lighted.

(d) Where running water and sewerage facilities are reasonably available, flush toilets and washing facilities will be provided. Otherwise, an outside toilet will be furnished and maintained in accordance with the provisions of section 7: Provided, however, The provisions of this sub-section shall not be applicable where toilets and washing facilities are otherwise made reasonably available for maintenance of way employees.

(e) If necessary, a sufficient supply of running or well water will be made reasonably available, and individual drinking cups will be furnished.

HISTORY: ACS 18, p. 47.

R 460.1477. Sec. 7—Construction and maintenance of outside toilets when used by employees coming under the provisions of this act

(a) The commission may, after proper investigation, hearing and order in the matter, permit the installation and maintenance of outside toilet facilities, where it is found otherwise impractical to install inside toilets and urinal facilities.

(b) Where outside toilets are installed and maintained in accordance with the above paragraph, they shall be located on ground that is well drained, and where there is no possibility of contaminating any drinking water supply.

(c) Suitable approach, such as concrete, gravel, or cinder walk, shall be provided.

(d) All windows, ventilators, and other openings, except doors, shall be screened to prevent the entrance of insects. A separate ventilator duct, with hood, shall be provided for the vault, and shall extend above the roof.

(e) The entire installation must be kept clean and sanitary. Milk of lime (freshly slaked lime), or other equally effective disinfectant, shall be used in the vault and in the urinal trough, in sufficient quantities and at frequent intervals. The floors, seats and urinals must be scrubbed as often as necessary.

HISTORY: ACS 18, p. 48.

R 460.1478. Sec. 8

Any shelter and sanitary facilities which have been constructed and are presently being maintained in accordance with an agreement heretofore entered into between the parties in interest, and agreed to or ordered by the commission, shall be deemed a complete compliance with these rules and regulations, until such time as a specific complaint is filed with commission claiming that, on account of changes made in the uses of the facilities, such facilities are inadequate: Provided, nothing herein shall be construed to abrogate or limit any agreement between the interested parties now in effect which provides for better or more adequate facilities, or to prevent the negotiation of such an agreement in the future.

HISTORY: ACS 18, p. 48.

R 460.1479. Sec. 9

Any railroad company being of the opinion that the application or enforcement of this order, or any part thereof, at any particular place, will be unjust or unreasonable, may apply to the commission for relief therefrom, and the commission may, by written order, relieve said railroad company from the application of this order, or any part thereof, at such place, or modify the same in such manner and to such extent as shall be just and reasonable.

HISTORY: ACS 18, p. 48.

R 460.1480. Sec. 10

In the absence of specific complaint, present facilities shall be deemed adequate. In the event of a complaint filed hereafter in respect of such facilities, and the commission shall find the same inadequate, the railroad company involved shall have a reasonable time in which to complete the work required to the light of the then existing situation, circumstances, and conditions.

HISTORY: ACS 18, p. 48

R 460.1481. Sec. 11

In the event of any dispute or disagreement between any employee and any employer as to the intent, meaning and interpretation of any or all of the rules hereinabove set forth, the commission reserves unto itself the right to set a hearing thereon, and to issue appropriate order or orders, so as to effectuate and carry out the intent and purpose of said rules.

HISTORY: ACS 18, p. 48.

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