

In considering that suggested proviso a little bit further, I should like to recommend that Clause 2 "an employee subject to the provisions of subchapter I of Chapter 81 of title 5, United States Code" be deleted from that suggestion, because the Industrial Safety Act presently excludes employees of the Federal Government and the District Government. And so this Clause 2 in this proposed amendment is really unnecessary, inasmuch as it deals with the Federal Employees Compensation Act.

The other objection that the Commissioners have to the Bill is that it prohibits the forfeiture of collateral in cases involving personal injury.

The problem there is this. The courts have a collateral list, and in this collateral list, the courts can indicate whether or not forfeiture of collateral is involved. They do this in a number of cases. It would be perfectly easy for the courts to specify that there shall be no forfeiture of collateral in personal injury cases, and just by a letter from the Commissioners to the judges this could be done. So the Commissioners feel that it is unnecessary to specify by statute that there shall be no forfeiture of collateral.

This seems to deal with the prerogative of the courts, and that is the reason why the Commissioners have this reservation with respect to that point.

Other than those two reservations about the present scope of the Bill, or of the Act as it would be amended by the Bill, and with respect to the prerogative of the court in connection with prohibiting forfeiture of collateral, the Commissioners favor the legislation, Mr. Chairman.

Mr. SISK. Thank you, Mr. Kneipp, for the comments and the report of the Commissioners.

I was going to ask before we have any questions if some of you folks on the Board have statements. Mrs. Newman or Mr. Greene.

Mrs. NEWMAN. I have a brief statement, Mr. Chairman.

Mr. SISK. All right, you may proceed.

Mrs. NEWMAN. The Minimum Wage and Industrial Safety Board is basically in favor of Representative Sisk's bill H.R. 1264, and urges its passage. Legislation is needed to reestablish the jurisdiction which the Board assumed was granted in the original legislation which Congress passed in 1941. Legislation to cover all workers in private employment within the District of Columbia will give the Board the tools it needs to combat on-the-job accidents more effectively and will place the Nation's Capital on a par with other progressive localities.

It is only fair, we believe, that if the recently amended Minimum Wage legislation extends coverage to approximately 290,000 workers, then these same workers should be able to work in places which meet minimum safety standards.

Employees in the retail, services, transportation, utilities, and finance industries contribute to the total accident picture and are as much in need of the protection of safety standards as are workers in the construction or manufacturing industries. We feel that Congress was of the same opinion in 1941 when it passed the Industrial Safety Act and urge that Congress now reaffirm this position by supporting H.R. 1264.