**12-179 DEPARTMENT OF LABOR**

 **BUREAU OF LABOR STANDARDS**

 **BOARD OF OCCUPATIONAL SAFETY AND HEALTH**

**Chapter 2: OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR GENERAL INDUSTRY EMPLOYMENT IN THE PUBLIC SECTOR**

**Summary**: The purpose of this Chapter is to incorporate by reference rules governing Occupational Safety and Health in general industry employment as promulgated by the Federal Occupational Safety and Health Administration at 29 CFR Part 1910 as most recently amended as of July 14, 2021.

**1. Incorporation by Reference**

 The State Board of Occupational Safety and Health adopts the *General Industry Standards for Occupational Safety and Health* as promulgated by the U.S. Department of Labor, Occupational Safety and Health Administration as Title 29 *Code of Federal Regulations*, Part 1910, revised as of July 14, 2021.

**2. Special Maine Rule (SMR) ME 1910.134 – Respiratory Protection amendments**

The attached amendments to 1910.134 adopted May 3, 1999 to become effective in two stages. October 1, 1999 for written program completion; August 2, 2000 for full implementation.

**AMENDMENTS TO**

**29 CFR 1910.134**

**ADOPTED MAY 3, 1999**

**A)** Periodic medical evaluations will be conducted as follows: The medical evaluation will include questions 1-15, Part A section 2 in Appendix C. Any “yes” answers to these questions require a medical follow-up. Part “B” of the medical questionnaire is optional at the discretion of the PLHCP.

**B)** Periodic medical evaluation shall be administered according to the following schedule:

 Employees: Up through 35 years of age - at least every 5 years

 36 to 40 years of age - at least every 2 years

 Over 40 years old - at least annually

STATUTORY AUTHORITY:

 26 M.R.S. Section 565

EFFECTIVE DATE:

 February 14, 1989

REPEAL OF PREVIOUS RULE:

 January 8, 1992

ADOPTION OF NEW RULE:

 January 8, 1992

AMENDED:

 September 23, 1993

 September 23, 1993 (addenda)

 March 21, 1995

 March 20, 1997

 April 1, 1997

NON-SUBSTANTIVE CORRECTIONS:

 June 18, 1997 - removed stray period after “most”

 August 28, 1997 - addition of missing March 20, 1997 amendment date

AMENDED:

 November 4, 1997 – filing 97-393

 August 18, 1998 – filing 98-343

 August 25, 1998 – filing 98-359

 October 1, 1999 – filing 99-263

 August 2, 2000 – filing 2000-253

 January 2, 2001 – filing 2000-565

 March 29, 2004 - filing 2004-99

 July 7, 2008 – filing 2008-280

 March 16, 2013 – filing 2013-060

 September 28, 2016 – filing 2016-156, added “Industry” to the rule title, among other changes. Corrected and re-posted October 13, 2016.

 December 26, 2017 – filing 2017-207

 December 26, 2020 – filing 2020-253

 November 20, 2021 – filing 2021-232