

TOWN OF NEWPORT

NEW HAMPSHIRE



Personnel Safety Policy

JANUARY 1996; Revised December 21, 2015; January 13, 2016

Revised: November 7, 2022

TABLE OF CONTENTS

Mission Statement		1
Statement of Personnel Policy		2
Responsibilities		3
Joint Loss Management Committee		4
Safety Rules and Regulations		6
Disciplinary Procedures		6
Accident Investigation		6
Training Requirements for Safety and Health		7
Temporary Alternate Duty		9
Emergency Evacuation and Response Plans		10
Health and Safety Communications		11
Workplace Violence		11
Appendix A	Fire Standards and Training Rules Police Standards and Training Rules	12
Appendix B	Sample Agenda Sample Minutes	13-15
Appendix C	JLMC Forms	16-19
Appendix D	Chapter Lab 1400 Safety and Health of Employees	20-70

TOWN OF NEWPORT
JOINT LOSS MANAGEMENT COMMITTEE
MISSION STATEMENT

THE JOINT LOSS MANAGEMENT COMMITTEE IS AN ADVISORY COMMITTEE THAT EDUCATES AND COORDINATES THE TRAINING OF TOWN EMPLOYEES IN THE PREVENTION OF WORK RELATED INJURIES, AND TO STRESS THE IMPORTANCE OF CREATING AND MAINTAINING A SAFE AND HEALTHY WORK ENVIRONMENT BY PROMOTING PERSONAL HEALTH AND FITNESS, REVIEWING ACCIDENTS AND POTENTIAL WORK HAZARDS, AND MAKING RECOMMENDATIONS TO DEPARTMENT MANAGERS.

STATEMENT OF PERSONNEL POLICY

The Town of Newport values the health, welfare, and safety of every employee, and intends to provide a safe and healthful workplace for all. Accidents may cause suffering and financial loss to our employees and their families.

In pledging its full support of the safety process, the Board of Selectmen recognizes certain obligations:

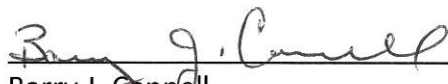
1. That prevention of accidents and protection of all resources are guiding principles.
2. That all operational decisions affecting safety must receive the same consideration as those affecting production or quality.
3. That safe working conditions and methods are of prime importance and take precedence over shortcuts and "quick fixes".
4. That the Town of Newport will do its' best to comply with all safety laws and regulations.
5. That feedback will be welcomed from all employees.
6. That all employees will follow all safety rules, take no unnecessary chances, use all safety guards and equipment, and make safety an integral part of their lives.

As an employee of the Town of Newport, you have the responsibility to yourself, your family, your coworkers, and the community to understand and follow our safety procedures. We must be alert in detecting and taking steps to remedy potentially hazardous conditions. Above all, we must exercise concern for others to help ensure everyone's safety, well-being, and productivity.


OUR COMBINED EFFORTS WILL MAKE A DIFFERENCE!!

BOARD OF SELECTMEN

Jeffrey F. Kessler, Chair



Barry J. Connell



Keith M. Sayer



James C. Burroughs

Herbert R. Tellor, Jr.



Date

Section 1. RESPONSIBILITIES

All employees shall be responsible for implementing the provisions of this policy within their respective area.

1.1 Governing Body – Board of Selectmen

- A. Officially adopt the program
- B. Demonstrate support, direction, and commitment to employee safety.

1.2 Management – Town Manager, Department Heads

- A. Clearly communicate with all employees. Be sure all employees understand the importance of the policy.
- B. Ensure that the appropriate funding is budgeted to properly operate the policy. Funding of safety equipment, training courses and materials is required.
- C. Review and respond to inspection, recommendation, and investigative reports.
- D. Respond in writing to recommendations made by the Joint Loss Management Committee (JLMC).
- E. Provide training for members of the JLMC in accident/injury investigation and workplace hazard identification.
- F. Complete appropriate paperwork as required.

1.3 Supervisors – Superintendents, Fire Officers, Police Supervisory Personnel, Working Foremen

- A. Ensure that all employees under their jurisdiction understand and comply with the policy and observe all safety rules.
- B. Ensure that all employees understand the Town's safety policy and its procedures.
- C. Exhibit leadership and provide guidance.

- D. Educate new employees within their areas in the correct methods of performing tasks, nature of hazards involved, precautions to be taken and the use of emergency equipment.
- E. Regularly meet with employees to review additional measures that can be taken to ensure employee safety.
- F. Include as part of an employee's review an appraisal of employees safety behavior.

1.4 Labor Force – All employees not covered above

- A. Report ALL accidents/incidents to his/her immediate supervisor, and complete appropriate paperwork.
- B. Report ALL unsafe conditions immediately.
- C. Obey ALL safety and health regulations.
- D. Attend ALL safety training as required.
- E. Wear required personal protective equipment.

Section 2. JOINT LOSS MANAGEMENT COMMITTEE

2.1 Organization

- A. The Joint Loss Management Committee (JLMC) is established by the Town of Newport for the purpose of maintaining a workplace that is free from occupational safety and health hazards. It is geared to help prevent accidents and illness, and is jointly established between employees and management.
- B. The Board of Selectmen on February 5, 1996 endorsed and empowered the JLMC to fulfill its task as prescribed under N.H. RSA 281-A:64 III, Revised. Since that time, the Committee has worked towards the mandated goals as outlined by said Statute.

2.2 Duties and Responsibilities

- A. The JLMC is comprised of an equal number of representatives from management, supervisor, and labor forces. Its size is a minimum of ten (10) and a maximum of twelve (12). Representatives of organized units are included. Representative appointment is by the Town Manager, with

recommendation by the individual department head or union chairman. The membership will strive to keep all departments represented at all times.

- B. The chairperson will be elected by the Committee. Meetings will be held quarterly throughout the year, and more often, if necessary, in order to carry out the required functions of the Committee.
- C. In order to conduct business, a quorum of six (6) members must be present. If the outcome of any vote directly affects a particular department, the department representative to the Committee must be present. If for some reason a quorum is not present on a particular meeting date, an informational meeting may be held, with no votes being taken.
- D. The Committee is charged with advocating safety values, procedures, policies, and programs. Also, the Committee creates and distributes a policy statement to all employees. Workplace accidents and injuries are reviewed to assist in establishing goals and objectives.
- E. The Committee members are representatives of their individual departments who have a thorough knowledge of site specific safety requirements related to the department functions.
- F. The Committee will conduct periodic health and safety inspections for hazard identification purposes.
- G. An annual audit will be conducted to assess inspection findings.
- H. When a hazardous or dangerous situation is identified, the Committee will communicate in writing with the individual department head, giving specifics of the situation and recommendations to mitigate the problem. The department head will respond to the Committee in writing with their response.
- I. The Committee will develop and carry out workplace safety programs.
- J. A program to establish temporary work assignments will be developed to allow and encourage injured employees to return to work.
- K. An annual anonymous safety survey will be conducted, by polling all employees for their safety concerns.
- L. The Committee will keep minutes of all meetings and post them on department bulletin boards for employee information.

- M. All meetings will be posted as required by law and a copy of the agenda published (Sample agenda form in Appendix B)
- N. The Committee will conduct any other business pursuant to N.H. Department of Labor Rules 603.3.

Section 3. SAFETY RULES AND REGULATIONS

3.1 Material Safety Data Sheets (MSDS)

- A. Whenever a hazardous material is utilized by an employee, an MSDS is to be on file with the department and made available for employee review if so desired. These forms identify the chemical compound involved, reactivity, flammability, health hazards first aid, and recommended mitigation procedures, as well as other information to be utilized in case of spill, fire, or personal exposure. These forms must be retained on file for a period of five (5) years after the last use of the product. A copy of these forms is also to be filed with the Fire Department. This requirement is federally mandated under SARA Title III.

3.2 Departmental Rules and Regulations

- A. Each department shall have any health and safety regulations pertaining to their individual departments in writing and available for employee review.

3.3 State Rules and Regulations

The provisions and requirements of Chapter Lab 1400 Rules on Safety and Health of Employees are hereby included by reference, and included as Appendix C.

Section 4. DISCIPLINARY PROCEDURES

4.1 Disciplinary Policy

- A. Any disciplinary action to result from violation of a safety policy or procedure will be handled under the provisions of the Town of Newport Personnel Policy, Section VIII.

Section 5. ACCIDENT INVESTIGATIONS

5.1 Responsibility

- A. It is the responsibility of the employee to immediately report any work related accident, no matter how minor to his/her immediate supervisor. The

employee may be sent to a doctor for medical treatment or examination, at the Town's expense.

- B. It is the responsibility of the Newport Police Department to review and investigate all motor vehicle accidents involving an employee while driving Town owned vehicles. If in the opinion of the Chief of Police that a conflict of interest may arise, the investigation may be turned over to the New Hampshire State Police for investigation.
- C. It is the responsibility of the immediate supervisor to investigate all non-vehicular accidents involving an employee under his control. The supervisor will complete his portion of JLMC Form 1, Injury Report and return it to the JLMC for review (Appendix C).
- D. It is the responsibility of the employee to obtain an injury claim packet from the Town Manager's Executive Assistant and fill out the required paperwork within the required time to file a Workers' Compensation claim. He/She will also fill out the appropriate portion of the JLMC Form 1, Injury Report and submit it to his/her immediate supervisor for completion and return to the JLMC for review.

Section 6. TRAINING REQUIREMENTS FOR SAFETY AND HEALTH

6.1 General

- A. Since the Town is made up of several general departments, it is the responsibility of each department to outline, coordinate and manage its own areas of training relative to the health and safety of its employees.
- B. The requirements listed below are meant to be a general guideline for departmental safety training, in some cases supplemented by Federal, State, and Local requirements.
- C. All new employees will be properly trained and instructed in their jobs relative to safety and health. Should an employee be transferred to another department, either temporarily or permanently, then the employee will be trained in the aspects of his/her new assignment as to health and safety requirements of the new job.

6.2 Finance Department, TOPAZ, and All Other Clerical

- A. Work Station/Office Injury Prevention
- B. Slips, Trips, and Falls Prevention
- C. Back Injury Prevention

D. Other Training that may be mandated by law, or by the department

6.3 Fire Department (Including EMS)

- A. Work Station/Office Injury Prevention
- B. Slips, Trips, and Falls Prevention
- C. Back Injury Prevention
- D. Accident Investigation
- E. Communicable Disease Exposure Control
- F. Firefighter Safety
- G. Hazardous and Toxic Substances
- H. Personal Protective Equipment
- I. Lock Out/Tag Out Procedures
- J. Other Training which may be mandated by law, or by the department

6.4 Police Department

- A. Work Station/Office Injury Prevention
- B. Slips, Trips, and Falls Prevention
- C. Back Injury Prevention
- D. Accident Investigation
- E. Communicable Disease Exposure Control
- F. Personal Protective Equipment
- G. Traffic Control Techniques for Police
- H. Firearms Safety
- I. Hazardous and Toxic Substances
- J. Other Training which may be mandated by law or by the department

6.5 Recreation Department

- A. Work Station/Office Injury Prevention
- B. Slips, Trips, and Falls Prevention
- C. Back Injury Prevention
- D. Communicable Disease Exposure Control
- E. Personal Protective Equipment
- F. Other Training which may be mandated by law, or by the department

6.6 Public Works Department

- A. Work Station/Office Injury Prevention
- B. Slips, Trips, and Falls Prevention
- C. Back Injury Prevention
- D. Communicable Disease Exposure Control
- E. Personal Protective Equipment

- F. Chain Saw Safety
- G. Confined Space Entry Safety
- H. Hazardous and Toxic Substances
- I. Lock Out/Tag Out Procedures
- J. Snow Plow Operator Safety
- K. Traffic Control Techniques
- L. Trench and Excavation Safety
- M. Other Training which may be mandated by law, or by the department

6.7 Building Maintenance Department

- A. Work Station/Office Injury Prevention
- B. Slips, Trips, and Falls Prevention
- C. Back Injury Prevention
- D. Communicable Disease Exposure Control
- E. Personal Protective Equipment
- F. Hazardous and Toxic Substances
- G. Power Tool Injury Prevention
- H. Snow Removal Control Techniques
- I. Other Training which may be mandated by law, or by the department

Section 7. TEMPORARY ALTERNATE DUTY (T.A.D.)

7.1 General

- A. In compliance with N.H. RSA 281-A:23-b, the Town of Newport will be providing temporary alternative work opportunities to all employees disabled by a work-related injury or illness. As soon as the attending physician has released the employee to lighter duties than the current position requires, subsequent to said injury or illness, the employee will be called to return to work in a T.A.D.; such assignment may be to different duties, or to a different work schedule, and may include assignment to a different division or position within the Town of Newport. During reassignment, the employee's rate of pay may be less than his/her current position. The employee's total compensation will, however, include Workers' Compensation benefits, which will pay 60% of the difference, if any, between T.A.D. pay and regular pay.
- B. All T.A.D. assignments are to be reviewed and approved by the Town Manager, in consultation with the employee's regular department head, and, if applicable, with the department to which the employee will be reassigned. The Town reserves the right to discuss the employee's abilities with the treating physician. The Town also reserves the right to seek other medical opinions as to the ability of the employee to perform alternative duty

assignments. Any cost associated with second and subsequent opinions required by the Town shall be paid by the Town.

- C. T.A.D. assignments will be reviewed and evaluated by the Department Head weekly, and written reports will be provided to the Town Manager. T.A.D. assignments may change or be eliminated as the needs of the employee and the Town are evaluated.

Section 8. EMERGENCY EVACUATION AND RESPONSE PLANS

8.1 Fire Escape Plans

- A. It is the responsibility of each individual department to establish a fire escape plan from their respective workplaces. Attention should be given to travel distance to exits, exit locations, hazardous areas, and other obstacles to safe egress.
- B. It is the responsibility of the Fire Prevention Bureau of the Newport Fire Department to train and assist the individual departments in correct evacuation planning and escape procedures.

8.2 First Aid Stations

- A. It is the responsibility of each department to maintain a first aid station with a minimum of first aid supplies to handle minor emergencies. The department will have one person who is responsible for ensuring that the first aid station is stocked to an operational capacity. The first aid station shall be clearly marked for easy location.
- B. It is the responsibility of the Ambulance Director to assist the departments in selecting materials to be stocked in the first aid station.

8.3 General Emergencies

- A. The Town of Newport Emergency Management Department maintains a Basic Emergency Management Plan (BEMP) which is co-authored by the NH Office of Emergency Management. The plan includes resources available to and through the Town for use in the event of a major disaster, i.e. earthquake, severe storm, war, etc. Copies of the plan are placed strategically throughout the Town. Among these are Fire and Police Departments, Town Office, Library, and Emergency Dispatch.

Section 9. HEALTH AND SAFETY COMMUNICATIONS

9.1 General

- A. It is the responsibility of the JLMC to establish a format through which all employees may be kept informed of issues relating to health and safety. These issues will be addressed through posting of minutes of meetings on departmental bulletin board.
- B. Each employee of the Town will be issued a copy of the JLMC Safety Policy.
- C. Meeting times and agenda will be posted on the Town Office bulletin board in accordance with RSA 281-A:64.
- D. The JLMC will strive to obtain posters, brochures, and associated information for distribution to bulletin boards and employees.
- E. Department heads are required to submit required paperwork to the JLMC in a timely manner.
- F. Employees are required to submit appropriate paperwork involving accidents within limits defined by Compensation Funds of NH.
- G. Employees are urged to contact their supervisor and the JLMC representative from their department if an unsafe condition is found to exist. The Committee is charged with making all unsafe conditions.....**SAFE!!!!!!**

Section 10. Workplace Violence

The Town's policy is to promote a safe environment for our employees and the visiting public, and to work with our employees to maintain a work environment that is free from violence, harassment, intimidation, and other disruptive behavior. The Town's position in this area is that violence or threats of violence — in all forms — is unacceptable behavior. Violence in any form will not be tolerated and will be dealt with appropriately. Employees at all levels are encouraged to report threatening or intimidating behavior to the appropriate authorities in and outside the Town.

APPENDIX A

FULL-TIME FIREFIGHTER FULL AND PART-TIME POLICE OFFICER MINIMUM STANDARDS

Rules for full-time firefighters and full and part-time police officers are outlined by administrative rules from the respective governing organizations: Fire Standards and Training Commission, and Police Standards and Training Commission.

- A. Full-time firefighters are covered by the Code of New Hampshire Rules as adopted on October 13, 1993, by the Fire Standards and Training Commission, Chapter 700, Firefighter Mandatory Standards.
- B. Full-Time and Part-time police officers are governed by the Training Council's Administrative Rules as adopted by the State of New Hampshire Police Standards and Training Commission in 1993, and amended on June 6, 1994, Chapter Pol 100-803.

These standards are adopted by reference and copies of both documents are on file with the JLMC and are available for review.

APPENDIX B

SAMPLE AGENDA

SAMPLE MINUTES

NEWPORT SAFETY COMMITTEE
AGENDA
OCTOBER 25, 1995

- I CALL TO ORDER

- II REVIEW OF MINUTES

- III OLD BUSINESS
 - A. RABIES SHOTS
 - B. INJURY REPORTS
 - C. CPR TRAINING
 - D. OTHER OLD BUSINESS

- IV NEW BUSINESS
 - A. TOWN TIMES
 - B. WELLNESS PROGRAM/SLICE OF LIFE
 - C. CLAIMS REVIEW
 - D. OTHER NEW BUSINESS

- V ADJOURNMENT

NEWPORT SAFETY COMMITTEE

MINUTES OF MEETING OCTOBER 25, 1995

The meeting was called to order at 11:03 with the following members present:

B. MacDonald, Fire; Ken Dennis, Town Office; Brent Richardson, Water & Sewer; Bryan Bartley, Highway; P. J. Lovely, Rec.; Dan O'Neill, Town Manager.

The minutes of the previous meeting were read and approved as amended.

OLD BUSINESS

- A. Rabies Vaccinations were discussed and the recommendations of the Comp. Funds were discussed. That being only those who may regularly come in contact with possibly rabid animals be inoculated against rabies. It was also discussed that a memo be sent to the Public Works Department in regard to the burying of dead animal corpses deeper, due to them being dug up by other predators.
- B. The injury reports are now being distributed with a packet for the employee at the time of injury. These packets also include the Workers Comp. forms, etc.
- C. A list will be distributed to the departments asking for those interested in CPR Training. When complete, B. Tracey will coordinate the teaching of the class.

NEW BUSINESS

- A. The Committee report for the Town Times was read and approved.
- B. The new wellness benefits are read and made available for any interested parties.
- C. B. Richardson discussed the recent Trench Rescue that he and Mike Denno had attended. He discussed the requirements for this type of operation, including the requirements for Fire Department Rescue Training. Mr. O'Neill will take this up with the appropriate department heads.
- D. Several claims were discussed involving workers comp. related injuries.

The meeting was adjourned at 12:05.

APPENDIX C

JLMC FORMS

The following pages contain sample forms used by the JLMC in the course of its work.

1. JLMC Injury Report
2. JLMC Inspection Report

**TOWN OF NEWPORT SAFETY COMMITTEE
INJURY REPORT**

TO BE ANSWERED BY THE INJURED PERSON

Employee Job Classification _____ Department: _____ Location: _____

Date and Time of Accident/Illness: ____/____/____, _____

Brief Description of Accident/Illness and Activities at Time: _____

Nature of Injury: _____ Cause of Injury: _____

Attending Physician: _____ Department Notified: Date: _____ Time: _____

To Whom: _____

TO BE ANSWERED BY SUPERVISOR

Taken to Hospital: Yes _____ No _____

What Hospital: _____ Date: _____ Time: _____

Witnesses: _____

Disposition of Personnel by Attending Physician: (i.e. Light Duty, No Duty, etc.) _____

Action Recommended to Prevent Recurrence: _____

Is a Safety Policy in Effect to Cover This Situation? Yes ____ No ____ Was Policy Violated: Yes ____ No ____

Were Safety Measures/Equipment in Use at Time of Incident? Yes ____ No ____

Additional Supervisor Comments: _____

Supervisor Signature

SITE SAFETY INSPECTION

TOWN OF NEWPORT

LOCATION: _____ DATE: _____

	<u>YES</u>	<u>NO</u>	<u>N/A</u>	<u>COMMENTS</u>
<u>A. ENTRANCES</u>				
1. Outside walks in good condition	_____	_____	_____	_____
2. Floor mats, etc. in good condition	_____	_____	_____	_____
<u>B. FLOORS</u>				
1. Surfaces dry and free of foreign objects	_____	_____	_____	_____
2. Elevation differences clearly marked	_____	_____	_____	_____
3. Carpeting not frayed, metal strips secure	_____	_____	_____	_____
4. Drains and other floor holes covered and clean	_____	_____	_____	_____
5. Extension or other cords secured against tripping	_____	_____	_____	_____
<u>C. STAIRS</u>				
1. Treads clean and non-skid	_____	_____	_____	_____
2. Rails firm	_____	_____	_____	_____
3. Adequately lit	_____	_____	_____	_____
<u>D. PERSONAL PROTECTIVE EQUIPMENT</u>				

- 1. Supply adequate _____
- 2. In good condition _____
- 3. Use policy in effect
being enforced _____

E. TOOLS AND EQUIPMENT

- 1. Electrical equipment
properly grounded _____
- 2. Tools in good condition _____
- 3. Safety guards in place
and being used _____

F. GENERAL

- 1. Fire extinguishers ok _____
- 2. Adequate ventilation
in vehicle bays _____
- 3. Flammable storage proper _____
- 4. Oily, greasy rags stored in
airtight metal container _____
- 5. Compressed gas cylinders
properly stored _____
- 6. Lighting adequate _____
- 7. Rest rooms clean _____
- 8. MSDS available _____
- 9. First aid kits available
and fully stocked _____
- 10. Emergency evacuation
plan posted _____

APPENDIX D

11/2/22, 10:25 AM

CHAPTER Lab 1400 SAFETY AND HEALTH OF EMPLOYEES

Statutory Authority: RSA 281-A 60 I. (o) and RSA 277:16

PART Lab 1401 SCOPE OF RULES

Lab 1401.01 Scope. This rule is intended to carry out the intent of RSA 281-A:64 and RSA 277:16 by establishing procedures and rules for workplace safety inspections.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1401.02 Applicability. These rules shall be applicable to all public employees' workplaces including workplaces in buildings, sheds, structures, offices, sites or places owned, leased by the state of New Hampshire or by any political subdivision of the state, including all places used in connection with employee activity at a place of employment in the State. The following requirements shall not preclude compliance with RSA 155-A, the State Building Code, or other state or federal laws, rules, regulations, or codes. If a conflict should arise between these rules and any other applicable law, rule, regulation or code, these rules shall not supersede the more protective requirements.

Source. #8796, eff 1-11-07 (from Lab 1401.01); ss by #10809, eff 4-9-15

PART Lab 1402 DEFINITIONS

Lab 1402.01 "Competent person" means one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has the authority to take prompt corrective measures to eliminate them.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1402.02 "Confined space" means a space that meets the following criteria:

- (a) Large enough and so configured that an employee can bodily enter and perform assigned work;
- (b) Has limited or restricted means for entry or exit;
- (c) Is not designed for continuous employee occupancy; and
- (d) Is potentially hazardous because it:
 - (1) Contains or has a potential to contain a hazardous-atmosphere;
 - (2) Contains a material that has the potential for engulfing an entrant;
 - (3) Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor which slopes downward and tapers to a smaller cross-section; or
 - (4) Contains any other recognized serious safety or health hazard.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1402.03 "Fixed location" means all buildings, offices, garages, or other permanent structures which serve as a regular place of employment.

#8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07 (formerly Lab 1402.04); ss by #10809, eff 4-9-15

Lab 1402.04 "Flagger" means all personnel, including uniformed police officers, who conducts temporary traffic control (TTC) on roads where 2 lanes of vehicle traffic have been reduced to one lane.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #10809, eff 4-9-15

Lab 1402.05 "Hospitalization" means care in a hospital that includes admission as an inpatient and an overnight stay.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #12904, eff 10-23-19

Lab 1402.06 - 1402.09 - EXPIRED

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

PART Lab 1403 RULES FOR EMPLOYEE SAFETY AND HEALTH

Lab 1403.01 Safety and Health Requirements.

- (a) Each employer shall furnish to each of its employees employment and a place of employment that are free from recognized hazards that are causing or are likely to cause death or serious physical harm to its employees.
- (b) Each employee shall comply with all safety rules and regulations that are applicable to the employee's own actions and conduct.
- (c) The employer shall instruct each employee in the recognition and avoidance of unsafe conditions and in the rules applicable to his work environment to control or eliminate any hazards or other exposure to illness or injury.
- (d) The use of any machinery, tool, material, or equipment which is not in compliance with any applicable requirement of these rules shall be prohibited.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.02 Abrasive Blasting. The employer shall ensure compliance with the following requirements:

- (a) Blast cleaning nozzles shall be equipped with an operating valve which shall be held open manually. A support shall be provided on which the nozzle may be mounted when not in use; and
- (b) Blast cleaning enclosures shall be exhaust ventilated in such a way that a continuous inward flow of air shall be maintained at all openings in the enclosure during the blasting operation.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.03 Abrasive Grinding. The employer shall ensure compliance with the following requirements:

- (a) Abrasive wheels shall be used only on machines provided with safety guards;
- (b) The following shall be exempt from the safety guard requirements:
 - (1) Wheels used while within the material being ground; and
 - (2) Mounted wheels, used in portable operations, 2 inches and smaller in diameter;
- (c) Abrasive wheel safety guards for bench and floor stands and for cylindrical grinders shall not expose the grinding wheel periphery for more than 65 degrees above the horizontal plane of the wheel spindle. The protecting member shall be adjustable for variations in wheel size so that the distance between the wheel periphery and adjustable tongue or end of the peripheral member at the top shall never exceed 1/4 inch;
- (d) Abrasive wheel safety guards shall cover the spindle end, nut, and flange projections;
- (e) An adjustable work rest of rigid construction shall be used to support the work on offhand grinding machines. Work rests shall be kept adjusted closely to the wheel with a maximum clearance of 1/8 inch;
- (f) Machines designed for a fixed location shall be securely anchored to prevent movement, or designed in such a manner that in normal operation they shall not move; and

- (g) All abrasive wheels shall be closely inspected and ring-tested before mounting to insure that they are free from defects.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.04 Accident Reporting Requirements for Fatality and Serious Injury.

- (a) Within 8 hours after its occurrence, the employer shall report an employment accident which is fatal to one or more employees to the commissioner of labor. Notification may be given by telephone by calling (603) 271-0127 or 271-6850 or via e-mail at SafetyDiv@dol.nh.gov.
- (b) The reporter shall include the following information:
- (1) Date and time of fatality;
 - (2) Location of fatality;
 - (3) Cause of death; and
 - (4) Place where the body of the deceased person was sent.
- (c) Within 24 hours after the occurrence of a workplace injury which necessitates hospitalization for a serious injury for one or more employees, the employer shall report the employment accident to the commissioner of labor. Notification may be given by telephone by calling (603) 271-0127 or 271-6850 or via email to SafetyDiv@dol.nh.gov.
- (d) The reporter shall include the following information;
- (1) Date of injury;
 - (2) Time of injury;
 - (3) Cause of the injury;
 - (4) Place where the injured person was sent for medical evaluation or treatment; and
 - (5) Place where the injured person was hospitalized.

-
#8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15; ss by #12904, eff 10-23-19

Lab 1403.05 Aerial Lifts.

- (a) This section shall not apply to fire fighting apparatus.
- (b) Prior to the use of an aerial-lift device, a visual inspection and operational check shall be made by a competent person in accordance with the manufacturer's and owner's instructions.
- (c) Operators of aerial-lift equipment shall be provided with some means of anchorage to which a safety belt or lanyard can be secured to the buckets, platforms, or booms.
- (d) The combined load, including workers, material, and tools, shall not exceed the rated lift capacity as stated by the manufacturer. Such rated lift capacity shall be conspicuously and permanently posted on the lift.
- (e) When operating an aerial-lift device, the operator shall look in the direction of travel of the bucket and be aware of the booms in relation to all other objects and hazards.
- (f) All hoses affecting the nonconductive characteristics of equipment shall be made of nonconductive material. Hydraulic fluids for insulated equipment shall be of the insulating type.
- (g) An aerial-lift truck shall not be moved when the boom is elevated in a working position with workers in the basket, except for equipment that is specifically designed for this type of operation. The booms of a fully articulated aerial device shall not be considered elevated in a working position when the basket is directly in front of or behind the truck with the booms held as low as feasible and low enough so that the operator's head is below the highest point of the vehicle.
- (h) During aerial-lift operations, workers not engaged in line clearance shall maintain a minimum clearance of 10 feet (3 m) from energized conductors rated 50 kV phase-to-phase or less. For lines rated over 50 kV phase-to-phase the minimum clearance shall be 10 feet plus .4 inches (3 m plus 10 mm) for each kilovolt over 50 kV phase-to-phase.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.06 Air Tools. The employer shall ensure compliance with the following requirements:

- (a) Pneumatic power tools shall be secured to the hose or whip with a locking mechanical connector to prevent accidental disconnection;
- (b) Safety clips or retainers shall be securely installed and maintained on pneumatic impact tools to prevent attachments from being accidentally expelled;
- (c) The manufacturer's safe operating pressure for all fittings shall not be exceeded; and
- (d) All hoses exceeding 1/2 inch inside diameter shall have a safety device at the source of supply or branch line to reduce pressure in case of hose failure.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.07 Belt Sanding Machines. The employer shall ensure that belt sanding machines shall be provided with guards at each nip point where the sanding belt runs onto a pulley.

#8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.08)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.08 Blood Borne Pathogens. To eliminate or minimize employee exposure to human body fluids or infectious waste, the employer shall ensure that the following safety work practices shall be followed:

- (a) All human blood and body fluids shall be treated as if known to be infectious for HIV, HBV, and other blood borne pathogens;
- (b) Employees responding to emergencies or other situations where blood or body fluids are present shall wear single use disposable gloves, such as surgical or examination gloves, wash hands after removal of gloves, and wear eye protection when blood or other potentially infectious materials might be splashed; and

- (c) Work procedures shall include safe handling and disposal of needles and sharps, used bandages and gauze, linens, and all other items that come in contact with blood or other potentially infectious materials.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.09)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.09 Chains, Cables, Ropes, and Hooks. The employer shall ensure compliance with the following requirements:

- (a) Chains, cables, ropes, and hooks shall be visually inspected daily by a competent person, for deformation, cracks, excessive wear, twists and stretch, and defective gear shall be replaced or repaired;
- (b) Hoist ropes on crawler, locomotive, and truck cranes shall be free from kinks or twists and shall not be wrapped around the load; and
- (c) All U-bolt wire rope clips on hoist ropes shall be installed so that the U-bolt is in contact with the short or nonloadcarrying end of the rope. Clips shall be installed in accordance with the clip manufacturer's recommendation. All nuts on newly installed clips shall be retightened after the first hour of use.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.10)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.10 Chipguards. The employer shall ensure that protective shields or barriers shall be provided in operations involving cleaning with compressed air, to protect personnel against flying chips or other such hazards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.11)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.11 Compressed Air Use. The employer shall ensure that compressed air used for cleaning purposes shall not exceed 30 psi. However, this limitation shall not apply to concrete form or mill scale, or to areas where compressed air is used in a fixed process, such as attached to a machine.

#8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.12)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.12 Compressed Gas Cylinders. The employer shall ensure compliance with the following requirements:

- (a) Valve protection caps shall be in place when compressed gas cylinders are transported, moved, or stored;
- (b) Cylinder valves shall be closed when work is finished and when cylinders are empty or are moved;
- (c) Compressed gas cylinders shall be secured in an upright position at all times, except if necessary for short periods of time when cylinders are actually being hoisted or carried;
- (d) Cylinders shall be kept far enough away from the actual welding or cutting operation or protected by a fire resistant barrier so that sparks, hot slag, or flame will not reach them. When this is impractical, fire resistant shields shall be provided, as required by NFPA 51B and Saf-C 6008;
- (e) Oxygen cylinders in storage shall be separated from fuel-gas cylinders or combustible materials a minimum distance of 20 feet or by a noncombustible barrier at least 5 feet high having a fire-resistance rating of at least 1/2 hour; and
- (f) Compressed gas shall not be used for cleaning purposes.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.13)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.13 Concrete, Concrete Forms, and Shoring. The employer shall ensure compliance with the following requirements:

- (a) Employees shall not work above vertically protruding reinforcing steel, unless it has been protected to eliminate the hazard of impalement;

- (b) Powered and rotating-type concrete troweling machines that are manually guided shall be equipped with a deadman-type operating control; and
- (c) Formwork and shoring shall safely support all loads imposed during concrete placement. Drawings or plans of jack layout, formwork, shoring, working decks, and scaffolding systems shall be available at the jobsite.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED 10-09-06
(formerly Lab 1403.14)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.14 Confined Space Entry.

- (a) The employer shall evaluate the workplace to determine if any areas are confined spaces as defined under Lab 1402.02.
- (b) If an area is found to be a confined space, the employer shall meet the following requirements:
 - (1) The employer shall inform exposed employees by posting danger signs or by any other equally effective means of the existence and location of, and the danger posed by, the confined spaces;
 - (2) A minimum of 2 employees shall be assigned to the work activity involving entry into a confined space. One employee shall act as an attendant/observer and remain outside of the space for the duration of the entry operation;
 - (3) Conditions in the confined space shall be tested before entry operations and monitored while employees are in the confined space;
 - (4) Testing required by (b) (3)–above shall include testing of the internal atmosphere with a calibrated direct reading instrument, for the following conditions in the order listed:
 - a. Oxygen content;
 - b. Flammable gases and vapors; and
 - c. Potential toxic air contaminants;

- (5) The employer shall establish and implement the means, procedures and practices required to eliminate or control hazards and make the confined space safe for conducting entry operations including purging, making inert, flushing or ventilating the confined space;
 - (6) Confined space entrants shall use appropriate personal protective and retrieval equipment. The retrieval equipment shall allow for attendant /observer non-entry rescue;
 - (7) The employer shall provide training so that all employees whose job duties involve confined space entry procedures acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned to them; and
 - (8) A procedure shall be implemented which shall require a written permit evidencing that the above steps were taken prior to entering a confined space.
- (c) The training in (b)(7) above shall include the nature of the hazards involved, the necessary precautions to be taken, and in the use of personal protective and any other equipment necessary for safe entry.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.15)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.15 Cranes and Derricks. The employer shall ensure compliance with the following requirements:

- (a) The employer shall comply with the manufacturer's specifications and limitations as supplied by the manufacturer;
- (b) Rated load capacities, recommended operating speeds, and special hazard warnings or instructions shall be conspicuously posted on all equipment and complied with. Instructions or warnings shall be visible from the operator's station;
- (c) Equipment shall be inspected by a competent person before each use and during use, and all deficiencies corrected before further use;
- (d) Accessible areas within the swing radius of the rear of the rotating superstructure shall be barricaded to prevent employees from being struck or crushed by the crane;
- (e) No part of a crane or its load shall be operated:
 - (1) Within 10 feet of a line rated 50 kV or below;

- (2) Within 10 feet + 0.4 inches for each 1 kV over 50 kV for lines rated over 50 kV; or
 - (3) Within twice the length of the line insulator, but never less than 10 feet; and
- (f) The requirements of the above shall not apply where electrical distribution and transmission lines have been deenergized and visibly grounded at point of work, or where insulating barriers have been erected to prevent physical contact with the lines.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.16)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.16 Disposal Chutes. The employer shall ensure compliance with the following requirements:

- (a) Whenever materials are dropped more than 20 feet to any exterior point of a building, an enclosed chute shall be used; and
- (b) When debris is dropped through holes in the floor without the use of chutes, the area where the material is dropped shall be enclosed with barricades not less than 42 inches high and not less than 6 feet back from the projected edges of the opening above. Warning signs of the hazard of falling material shall be posted at each level.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.18)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.17 Dock-boards. The employer shall ensure that, dock-boards, meaning metal plates used to bridge the gap between a loading dock and truck over which industrial trucks travel to load or unload shall meet the following requirements:

- (a) Dock-boards shall be strong enough to carry the load imposed on them;
- (b) Dock-boards that are portable shall be anchored or equipped with devices which shall prevent their slipping. They shall have handholds or other effective means to allow safe handling; and

- (c) Wheel chocks or other devices shall be provided to prevent railroad cars from being moved while dock-boards are in position.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.19)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.18 Ergonomics.

- (a) Each employer shall evaluate all incidences of ergonomically related injuries, such as repetitive motion trauma, carpal tunnel syndrome and back injuries, and make necessary workplace modifications to prevent recurrences.
- (b) The employer shall develop training procedures for employees who might be subject to ergonomic exposures such as those listed above.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.22)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.19 Excavating and Trenching. The employer shall ensure compliance with the following requirements:

- (a) Before excavation, underground utilities shall be identified and marked, and utility companies contacted to determine if there are underground utility installations in the area;
- (b) A competent person as defined in Lab 1402.01 shall inspect and evaluate the condition of all trenches and excavations prior to permitting an employee to enter;
- (c) The inspection shall be performed at the beginning of each day and at least 4 times during the workday thereafter, and include the following:

- (1) Attention shall be given when adverse weather conditions might affect the condition of the excavation or trench; and
- (2) If evidence of possible cave-ins or slides is apparent, all work in the excavation shall cease until the requirement of (d) below have been met to safeguard the employees;
- (d) The walls and faces of trenches 5 feet or more deep, and all excavations, in which employees are exposed to danger from moving ground or cave-in shall be guarded by a trench protective system, or sloping of the ground;
- (e) In excavations which employees might be required to enter, excavated or other material shall be stored and retained at least 2 feet or more from the edge of the excavation;
- (f) Trenches 4 feet deep or more shall have an adequate means of exit such as ladders or steps in the protected area of the trench. The exit shall be located so as to require no more than 25 feet of lateral travel; and
- (g) Excavations near retaining walls, utility poles and other objects that are supported by compacted soil shall be supported at all times to prevent their collapse or undermining.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.23)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.20 Exits.

- (a) Every building designed for human occupancy shall be provided with exits sufficient to permit safe escape of occupants in case of emergency.
- (b) In hazardous areas, or where employees might be endangered by the blocking of any single means of egress due to fire or smoke, there shall be at least 2 means of egress remote from each other.
- (c) Exits and the way of approach and travel from exits shall be maintained so that they are unobstructed and are accessible at all times.
- (d) All exits shall discharge directly to the street or other open space that provides safe access to a public way.
- (e) Exit doors serving more than 50 people, or at high hazard areas, shall swing in the direction of exit travel.

- (f) Exits shall be marked by clearly visible, suitably illuminated exit signs. Exit signs shall be distinctive in color and provide contrast with the surroundings. The word "EXIT" shall be of plainly legible letters, not less than 6 inches high.
- (g) Any door, passage, or stairway which is neither an exit nor a way of exit access, and which is so located or arranged as to be likely mistaken for an exit, shall be identified by a sign reading "Not An Exit".

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.25)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.21 Fall Protection.

- (a) This section shall not apply to stairways, ladders and scaffolds, cranes and derricks or steel erection.
- (b) The employer shall ensure that each employee on a walking/working surface with an unprotected side or edge which is 4 feet or more above a lower level shall be protected from falling by the use of guardrail systems, safety net systems or personal fall arrest systems.
- (c) The requirement in (a) above shall apply to the following surfaces:
 - (1) Hoist areas;
 - (2) Holes;
 - (3) Form-work and reinforcing steel;
 - (4) Ramps;
 - (5) Runways and walkways;
 - (6) Excavations;
 - (7) Bricklaying;
 - (8) Working above dangerous equipment;
 - (9) Roofing work;

- (10)Pre-cast concrete erection;
- (11)Wall openings; and
- (12)Other walking/working surfaces.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.29)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.20)

Lab 1403.22 Flagger. The employer shall ensure compliance with the following requirements:

- (a) At work sites on or adjacent to a highway or street, where signs, signals, and barricades do not provide protection from traffic, a flagger shall be provided;
- (b) A flagger shall be provided with and shall wear a highly visible warning garment while flagging. Warning garments worn during low-light conditions or at night shall be equipped with high visibility material that is visible through the full range of the flag person's body motions; and
- (c) A flagger shall be provided with and use a combination Stop/Slow paddle while flagging that is:
 - (1) Highly visible;
 - (2) At least 18 inches in height and width; and
 - (3) With lettering at least 6 inches in height.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.32)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.21)

Lab 1403.23 Flammables and Combustible. The employer shall ensure compliance with the following requirements:

- (a) Flammable liquids shall be stored only in containers designed for that purpose;
- (b) Portable containers in excess of one gallon capacity shall have a self-closing lid and a pressure relief device;
- (c) Flammable and combustible liquids shall be drawn from or transferred into containers only through a closed piping system, by means of a device drawing through the top, or by gravity through a self-closing valve. Transferring by means of air pressure shall be prohibited;
- (d) Precautions shall be taken to prevent the ignition of flammable vapors;
- (e) Automatic overhead extinguishers or portable fire extinguishers shall be available at locations where flammable or combustible liquids are stored;
- (f) Conspicuous and legible signs prohibiting smoking shall be posted in service and refueling areas;
- (g) A portable fire extinguisher designated at least 6# BC shall be located within 75 feet of any refueling area;
- (h) Flammables such as draperies, curtains, area rugs, and other similar furnishings and decorations in educational facilities shall not be permitted unless treated with fire-retardant coatings; and
- (i) Artwork and teaching materials in educational facilities shall be permitted to be attached directly to walls. Such materials shall not exceed 20 percent of the wall area in buildings not protected throughout by an approved supervised automatic sprinkler system and 50 percent of the wall area in buildings protected throughout by an approved supervised automatic sprinkler system.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.33)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.24 Floor Openings and Open Sides. The employer shall ensure compliance with the following requirements:

- (a) Every stairway and ladder way floor opening shall be guarded by a standard railing on all exposed sides except at the entrance. The entrance to ladder way openings shall be guarded to prevent a person from walking directly into the opening;

- (b) Every hatchway and chute floor opening shall be guarded by a hinged floor opening cover equipped with standard railings to leave only one exposed side or by a removable railing with toeboard on not more than 2 sides and a fixed standard railing with toeboards on all other exposed sides; and
- (c) Every floor hole into which persons can accidentally walk shall be guarded by either a standard railing with standard toeboard on all exposed sides, or a floor hole cover capable of supporting at least twice the weight of employees, equipment, and materials that might be imposed on the cover at any one time. All covers shall be secured to prevent accidental displacement and shall be marked with the word "hole" or "cover" to provide warning of the hazard.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.34)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.22)

Lab 1403.25 Forklift Trucks and Powered Industrial Trucks. The employer shall ensure compliance with the following requirements:

- (a) If at any time a powered industrial truck is in need of repair, defective, or in any way unsafe, the truck shall be taken out of service until it has been restored to safe operating condition;
- (b) Forklift trucks with extended lifts shall be equipped with an overhead guard unless operating conditions do not permit;
- (c) Fork trucks shall be equipped with a vertical load backrest extension when the type of load presents a hazard to the operator;
- (d) The brakes of highway trucks and trailers shall be set and wheel chocks placed under the rear wheels to prevent the truck from rolling while fork trucks are entering or leaving; and
- (e) Employers shall verify that the above equipment shall be operated by competent individuals as defined in Lab 1402.01.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.35)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.23)

Lab 1403.26 Guards. The employer shall ensure that guards for mechanical power transmission equipment be made of metal or other rigid material. Except that wood guards may be used in the woodworking and chemical industries, in industries where atmospheric conditions would rapidly deteriorate metal guards, or where temperature extremes make metal guards undesirable.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.37)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.24)

Lab 1403.27 Hand Tools. The employer shall ensure compliance with the following requirements:

- (a) Each employer shall be responsible for the safe condition of tools and equipment used by employees, including tools and equipment furnished by employees;
- (b) All hand tools shall be kept in safe condition. Handles of tools shall be kept tight in the tool, and wooden handles shall be free of splinters or cracks. Wedges, chisels, and similar tools shall be free of mushroomed heads. Wrenches shall not be used when sprung to the point that slippage occurs; and
- (c) Electric power operated tools shall either be double-insulated, grounded, or used with ground fault circuit interrupters.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06 (formerly Lab 1403.38)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (Lab 1403.25)

Lab 1403.28 Hoists. The employer shall ensure compliance with the following requirements:

- (a) The employer shall comply with the hoist manufacturer's specifications and limitations as to the proper use and installation of the equipment, whether at a portable or fixed location;

- (b) Rated load capacities, recommended operating speeds, and special hazard warnings or instructions shall be visibly marked on cars and platforms;
- (c) Hoistway entrances of material hoists shall be protected by full width gates or bars;
- (d) Hoistway doors or cages of personnel hoists shall be not less than 6 feet 6 inches high and shall be protected with mechanical locks which cannot be operated from the landing side and shall be accessible only to persons on the car; and
- (e) Overhead protective coverings shall be provided on the top of the hoist cage or platform.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.39)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.26)

Lab 1403.29 Housekeeping. The employer shall ensure compliance with the following requirements:

- (a) Form and scrap lumber with protruding nails and all other debris shall be kept clear from all work areas;
- (b) Combustible scrap and debris shall be removed from work areas at least daily;
- (c) Trash shall be disposed of on a regular basis, and at other times when necessary;
- (d) All places of employment, passageways, storerooms, and service rooms shall be kept clean and in a sanitary condition; and
- (e) All floors shall be kept clean, dry, safely maintained, and free from trip hazards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.40)

New. #8796, eff 1-11-07 (formerly and moved by Lab
1403.28); ss by #10809, eff 4-9-15 (from Lab 1403.27)

Lab 1403.30 Hygiene and Sanitation. The employer shall ensure compliance with the following requirements:

- (a) A supply of potable water shall be provided in all places of employment;
- (b) Potable drinking water containers shall be capable of being tightly closed and be equipped with a tap;
- (c) Every employer shall provide and maintain sanitary and hygienic toilet facilities; and
- (d) The above shall not apply to mobile crews or normally unattended locations, as long as employees working at these locations have transportation immediately available to nearby locations that provide water and sanitary facilities.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.41)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.28)

Lab 1403.31 Jointers. The employer shall ensure compliance with the following requirements:

- (a) Each hand-fed jointer with a horizontal cutting head shall have an automatic guard which shall cover the section of the head on the working side of the fence or cage, and a guard which shall cover the back of the cage or fence; and
- (b) A jointer guard shall automatically adjust itself to cover the unused portion of the head, and shall remain in contact with the material at all times.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.42)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.29)

Lab 1403.32 Ladders. The employer shall ensure compliance with the following requirements:

(a) Fixed ladders shall comply with the following requirements:

- (1) Rungs shall have a minimum diameter of 3/4 inch, if metal, or 1-1/8 inches, if wood;
- (2) Rungs shall be a minimum of 16 inches in length and be spaced uniformly no more than 12 inches apart;
- (3) Cages, wells, or safety devices, such as fall prevention systems for ladders shall be provided on all ladders more than 20 feet in length;
- (4) Landing platforms shall be provided each 30 feet of travel, where cages are provided. Where no cage is provided, landing platforms shall be provided for every 20 feet of travel;
- (5) Tops of cages on fixed ladders shall extend at least 42 inches above top of landing. The bottom of the cage shall be not less than 7 feet or more than 8 feet above the base of the ladder; and
- (6) Side rails shall extend 3-1/2 feet above the landing.

(b) Portable ladders shall comply with the following requirements:

- (1) Stepladders shall be equipped with a metal spreader or locking device of sufficient size and strength to securely hold the front and back sections in the open position;
- (2) Ladders shall be inspected prior to use and those which have developed defects shall:
 - a. Be withdrawn from service for repair or destruction; and
 - b. Be tagged or marked as "Dangerous, Do Not Use";
- (3) Ladders that are not self-supporting shall be erected on a sound base at a 4/1 pitch and placed to prevent slipping;
- (4) The side rails of a ladder used to gain access to a roof or platform shall extend at least 3 feet above the landing;
- (5) Portable metal ladders shall not be used for electrical work or where they might contact electrical conductors and
- (6) Portable ladders shall be safely secured when not in use.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.45)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.30)

Lab 1403.33 Lasers. The employer shall ensure compliance with the following requirements:

- (a) Only employees who have had training by the employer or equipment manufacturer shall be assigned to install, adjust, and operate laser equipment;
- (b) Employees shall wear appropriate eye protection designed to safeguard against potential exposure to laser light greater than 0.005 watts (5 milliwatts);
- (c) Beam shutters or caps shall be utilized, or the laser turned off, when laser transmission is not actually required.

When the laser is left unattended, such as during lunch hour, overnight, or at change of shifts, the laser shall be turned off;

- (d) Employees shall not be exposed to light intensities above the following:
 - (1) Direct staring - 1 micro-watt per square centimeter;
 - (2) Incidental observing - 1 milliwatt per square centimeter; and
 - (3) Diffused reflected light - 2-1/2 watts per square centimeter; and
- (e) Employees shall not be exposed to microwave power densities in excess of 10 milliwatts per square centimeter.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.46)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.31)

Lab 1403.34 Liquefied Petroleum Gas (LPG). The employer shall ensure compliance with the following requirements:

- (a) Each system shall have containers, valves, connectors, manifold valve assemblies, and regulators which are designed for use with LPG;

- (b) Every container and vaporizer shall be provided with one or more safety relief valves or device;
- (c) Containers shall be placed upright on firm foundations or otherwise firmly secured;
- (d) Portable heaters shall be equipped with an automatic device to shut off the flow of gas in the event of flame failure;
- (e) Storage of LPG within buildings shall be prohibited; and
- (f) Storage locations shall have at least one portable fire extinguisher, designed 20#BC.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.47)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15

Lab 1403.35 Lockout The employer shall ensure compliance with the following requirements:

- (a) All stored energy hazards including but not limited to the following shall be released, locked-out, or otherwise rendered non-hazardous prior to commencement of any work which could subject the employee to potential injury:
 - (1) Hydraulic pressure;
 - (2) Pneumatic pressure;
 - (3) Steam pressure;
 - (4) Vacuum;
 - (5) Electricity;
 - (6) Mechanical; and
 - (7) Gravity.
- (b) Padlocks shall be made available to employees for the purpose of locking-out equipment when required.

- (c) Only the individual who is working on the equipment shall be allowed to remove the lockout device.
- (d) Lockout devices shall indicate the identity of the employee applying the device(s).

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.48)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.32)

Lab 1403.36 Machine Guarding. The employer shall ensure compliance with the following requirements:

- (a) Machine guarding shall be provided to protect employees from hazards such as those created by point of operation, nip points, rotating parts, flying chips and sparks.
- (b) Machine guarding shall comply with the following requirements:
 - (1) The guard shall be such that it cannot pose an accident hazard in itself; and
 - (2) Point of operation guarding devices shall be so designed as to prevent the operator from having any part of his body in the danger zone during the operating cycle.
- (c) Machines which require point of operation guarding shall include:
 - (1) Guillotine cutters;
 - (2) Shears;
 - (3) Alligator shears;
 - (4) Power presses;
 - (5) Milling machines;
 - (6) Power saws;
 - (7) Jointers; and
 - (8) Forming rolls and calendars.

- (d) Special supplemental hand tools shall be used for placing and removing materials within the danger zone of the machine.
- (e) Except as allowed by (i) below, Guards shall be required within 7 feet of the floor or working platform to protect from the following machinery:
 - (1) Fan blades;
 - (2) Belts;
 - (3) Pulleys;
 - (4) Sprockets;
 - (5) Chains;
 - (6) Flywheels;
 - (7) Shafting;
 - (8) Shaft projections;
 - (9) Gears;
 - (10) Couplings; and
 - (11) Rotating or reciprocating parts.
- (f) Flywheels protruding through a working floor shall be guarded.
- (g) Where both runs of horizontal belts are 7 feet or less from the floor or working surface, the guard shall extend at least 15 inches above the belt.
- (h) Safety sleeves shall be required to guard couplings with bolts, nuts, or set screws extending beyond the flange.
- (i) Belts, pulleys, and shafting located in rooms used exclusively for power transmission apparatus shall not be required to be guarded when the following requirements have been met:
 - (1) The basement, tower, or room occupied by transmission equipment is locked against unauthorized entrance; or
 - (2) The route followed by the oiler is protected in such a manner as to prevent accidents.

[Source.](#) #4118 eff 8-22-86, EXPIRED: 8-22-92

[New.](#) #6684, eff 2-4-98, EXPIRED: 2-4-06

[New.](#) #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.49)

[New.](#) #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.33)

Lab 1403.37 Machinery in a Fixed Location. The employer shall ensure that machines designed for a fixed location shall be securely anchored to prevent walking or moving, or designed in such a manner that they do not move in normal operation.

[Source.](#) #4118 eff 8-22-86, EXPIRED: 8-22-92

[New.](#) #6684, eff 2-4-98, EXPIRED: 2-4-06

[New.](#) #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.50)

[New.](#) #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.34)

Lab 1403.38 Mechanical Power Presses. The employer shall ensure compliance with the following requirements:

- (a) The employer shall provide and ensure the usage of point-of-operation guards or properly applied and adjusted point-of-operation devices, per the manufacturer's recommendation, to prevent entry of hands or fingers into the point-of-operation by reaching through, over, under, and around the guard on every operation performed on a mechanical power press. This requirement shall not apply when the point-of-operation opening is 1/4 inch or less;
- (b) A guard shall be placed over the treadle of foot-operated presses;
- (c) Pedal counterweights, if provided on foot-operated presses, shall have the path of travel of the weight enclosed; and
- (d) Machines using full revolution clutches shall incorporate a single stroke mechanism except where automatically fed in continuous operation and where the points of operation are safeguarded by a fixed barrier guard.

[Source.](#) #4118 eff 8-22-86, EXPIRED: 8-22-92

[New.](#) #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.51)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.35)

Lab 1403.39 Medical Services. In addition to the requirement for a medical chest required in RSA 277:6, the employer shall ensure emergency telephone numbers for ambulance service, hospital, or physician shall be posted throughout the facility.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.21)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.36)

Lab 1403.40 Mechanized Equipment. The employer shall ensure compliance with the following requirements:

- (a) All construction equipment in use shall be checked at the beginning of each shift to assure that all parts, equipment, and accessories that affect safe operation are in proper operating condition and free from defects. All defects shall be corrected before the vehicle is placed in service;
- (b) No employer shall use any motor vehicle, earthmoving, or compacting equipment having an obstructed view to the rear unless:
 - (1) The vehicle has a reverse signal alarm distinguishable from the surrounding noise level; or
 - (2) The vehicle is backed up only when an appointed observer signals that it is safe to do so;
and
- (c) Heavy machinery, equipment, or parts thereof which are suspended or held aloft shall be blocked to prevent falling or shifting before employees are permitted to work under or between them.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.53)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.37)

Lab 1403.41 Noise Exposure. The employer shall ensure compliance with the following requirements:

- (a) Protection against the effects of occupational noise exposure shall be provided when the sound levels exceed those shown in Table 3, Permissible Noise Exposures. Feasible engineering or administrative controls shall be utilized to keep exposure below the allowable limit.
- (b) When engineering or administrative controls fail to reduce the noise level to within the levels of Table 1400.1, personal protective equipment shall be provided and used to reduce the noise to an acceptable level.
- (c) Exposure to impulsive or impact noise should not exceed 140 dB peak sound pressure level.

Table 1400.1 Permissible Noise Exposure

	Sound Level
	dBA Slow
Duration Per Day, Hours	Response
8	90
6	92
4	95
3	97
2	100
1-1/2	102
1	105
1/2	110
1/4 or less	115

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.54)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.38)

Lab 1403.42 Overheads and Gantry Hoists and Cranes. The employer shall ensure compliance with the following requirements:

- (a) All functional operating mechanisms, air and hydraulic systems, chains, rope slings, hooks, and other lifting equipment shall be visually inspected before each use by the operator;
- (b) Complete inspection of the crane shall be performed at least once per year;
- (c) The inspection shall include the following:
 - (1) Identifying deformed, cracked, corroded, worn, or loose members or parts; and
 - (2) Ensuring the good working order of the following:
 - a. Brake system;
 - b. Limit indicators;
 - c. Power plant; and
 - d. Electrical apparatus;
- (d) Overhead cranes shall have stops at the limit of travel of the wheels; and
- (e) The rated load of the crane shall be plainly marked on each side of the crane as follows:
 - (1) If the crane has more than one hoisting unit, each hoist shall have its rated load marked on it or its load block and
 - (2) The marking shall be clearly legible from the ground or floor.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.55)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.39)

Lab 1403.43 Personal Protective Equipment. The employer shall ensure compliance with the following requirements:

- (a) The employer shall assess the hazards and provide and require the use of appropriate personal protective equipment where indicated based upon that assessment;
- (b) Where employees furnish their own personal protective equipment, the employer shall be responsible to, assure its adequacy and, to ensure that the equipment is properly maintained and in a sanitary condition;
- (c) Employees working over or near water, where the danger of drowning exists, shall be provided with U.S. Coast Guard-approved life jackets or buoyant work vests; and
- (d) Emergency eye wash/shower stations shall be tested periodically and testing records shall be maintained by the employer.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.56)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.40)

Lab 1403.44 Portable Abrasive Wheel Machinery. The employer shall ensure compliance with the following requirements:

- (a) Abrasive wheels shall be used only on machines provided with safety guards- ;
- (b) The following shall be exempt from the safety guard requirement in (a) above:
 - (1) Wheels used while within the work being ground; and
 - (2) Mounted wheels, used in portable operations, 2 inches and smaller in diameter.
- (c) A safety guard shall cover the spindle end, nut, and flange projections. The safety guard shall be mounted so as to maintain proper alignment with the wheel;
- (d) Safety guards used on right angle head or vertical portable grinders shall:

- (1) Have a maximum exposure angle of 180 degrees; and
- (2) Meet the following minimum requirements:
 - a. The above guard shall be so located so as to be between the operator and the wheel during use; and
 - b. Adjustment of the guard shall be such that pieces of an accidentally broken wheel shall be deflected away from the operator.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.58)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.41)

Lab 1403.45 Portable Pneumatic Powered Tools. The employer shall ensure compliance with the following requirements:

- (a) Safety clips or retainers shall be securely installed and maintained on pneumatic impact tools to prevent attachments from being accidentally expelled; and
- (b) Hose and hose connections used for delivering compressed air shall be designed for the pressure and service to which they are used.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.58)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
1403.42)

Lab 1403.46 Powder-Actuated Tools. The employer shall ensure compliance with the following requirements:

- (a) Only employees trained by the employer or equipment manufacturer shall be allowed to operate powder-actuated tools;

- (b) All powder-actuated tools shall be tested by the employee before each use and all defects discovered before or during use shall be corrected; and
- (c) Tools shall not be loaded until immediately before use. A loaded tool shall not be left unattended.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.60)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.43)

Lab 1403.47 Radiation. The employer shall ensure compliance with the following requirements:

- (a) Employers shall provide controls to prevent any employee from being exposed to radiation, either ionizing or electromagnetic, in excess of acceptable limits as established by He-P 4001;
- (b) Each radiation area shall be conspicuously posted with visible signs and/or barriers; and
- (c) Employers shall maintain records of the radiation exposure of all employees who are required to work in these areas.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.61)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.44)

Lab 1403.48 Railings. The employer shall ensure compliance with the following requirements:

- (a) This section shall not apply to scaffolding and stairway railings;
- (b) A standard railing shall consist of top rail, intermediate rail, and posts, and shall have a vertical height of 42 inches from upper surface of top rail to floor, or platform;
- (c) A railing for open-sided floors, platforms, and runways shall have a toeboard which shall be a vertical barrier at floor level erected along exposed edges of a floor opening, wall opening, platform, runway,

or ramp to prevent falls of materials whenever persons can pass beneath the open side, or where there is equipment with which falling materials could cause a hazard; and

- (d) Railings shall be of such construction that the complete structure shall be capable of withstanding a load of at least 200 pounds in the vertical or horizontal direction.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.62)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.45)

Lab 1403.49 Record Keeping. The employer shall ensure compliance with the following requirements:

- (a) An annual log of all workplace injuries and illnesses, for which an employer's first report of injury is submitted to the department of labor, shall be kept at the place of employment and made available to a safety inspector upon request;
- (b) Employers having existing records or logs of injuries and illnesses, required by other agencies, may provide them to meet this requirement; and
- (c) The log shall include, at a minimum, the following information:
 - (1) Date of injury;
 - (2) Name of employee;
 - (3) Occupation of employee;
 - (4) Description of the injury or illness;
 - (5) Whether lost time was involved; and
 - (6) The date employee returned to work.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.63)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.46)

Lab 1403.50 Respiratory Protection. The employer shall ensure compliance with the following requirements:

- (a) Respirators shall be selected by the employer on the basis of the hazard to which the worker is exposed and shall be provided by the employer as necessary to protect the health of the workers;
- (b) Employees who are expected to use respirators shall be fit tested to ensure that an adequate face-to-facepiece seal can be maintained;
- (c) Both the supervisors and the workers shall be instructed, by the employer, in the selection, use, and maintenance of respirators;
- (d) Respirators shall be cleaned and disinfected, and shall be inspected during cleaning. Deteriorated parts shall be replaced;
- (e) Respirators for emergency use shall be inspected at least once a month and after each use; and
- (f) When not in use, respirators shall be stored in a clean and sanitary location.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.64)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from
Lab 1403.47)

Lab 1403.51 Revolving Drums. The employer shall ensure that revolving drums, barrels, or containers shall be guarded by an interlocked enclosure that shall prevent the drum from revolving unless the guard enclosure is in place.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.65)

New. #8796, eff 1-11-07; ss by #10809, eff 4-9-15 (from Lab 1403.48)

Lab 1403.52 Rollover Protective Structures (ROPS). The employer shall ensure that, except for side boom pipe laying tractors and compactors, rollover protective structures of substantial strength be used with the following types of materials handling equipment:

- (a) All rubber-tired, self-propelled scrapers;
- (b) Rubber-tired front-end loaders;
- (c) Rubber-tired dozers;
- (d) Wheel-type agricultural and industrial tractors;
- (e) Crawler tractors;
- (f) Crawler-type loaders;
- (g) Motor graders, with or without attachments, that are used in construction work; and
- (h) Forklifts trucks and powered industrial trucks.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.66)

New. #8796, eff 1-11-07 (from Lab 1403.56); ss by #10809,
eff 4-9-15 (from Lab 1403.49)

Lab 1403.53 Safety Nets. The employer shall ensure that, where nets are used, operations shall not be undertaken until the net system is installed by a person trained by the employer or equipment manufacturer and the system complies with all industry standards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.67)

New. #8796, eff 1-11-07 (from Lab 1403.57); ss by #10809, eff 4-9-15 (from Lab 1403.50)

Lab 1403.54 Saws. The employer shall ensure compliance with the following requirements:

- (a) Band saws shall comply with the following requirements:
 - (1) All portions of band saw blades shall be enclosed or guarded except for the working portion of the blade between the bottom of the guide rolls and the table; and
 - (2) Band saw wheels shall be fully enclosed according to the following requirements:
 - a. The outside periphery of the enclosure shall be solid; and
 - b. The front and back shall be either, solid wire mesh or perforated metal;
- (b) Portable circular saws shall comply with the following requirements:
 - (1) All portable power-driven circular saws having a blade diameter greater than 2 inches shall be equipped with guards above and below the base plate or shoe;
 - (2) The lower guards shall cover the saw to the depth of the teeth, except for the minimum area required to permit the base plate to be tilted for bevel cuts, and shall automatically return to the covering position when the blade is withdrawn from the work;
- (c) The above provision shall not apply to circular saws used in the meat industry for meat cutting purposes;
- (d) Radial saws shall comply with the following requirements:
 - (1) Radial saws shall have an upper guard which completely encloses the upper half of the saw blade;
 - (2) The sides of the lower exposed portion of the blade shall be guarded by a device that shall automatically adjust to the thickness of the material and remain in contact with the material being cut;
 - (3) Radial saws used for ripping shall be equipped with a device which will prevent material from kicking back toward the operator and shall be properly adjusted;
 - (4) An adjustable stop shall be provided to prevent the forward travel of the blade beyond the table, or the position necessary to complete the cut in repetitive operations; and
 - (5) Radial saws shall be installed so that the cutting head shall return to the starting position when released by the operator;

(e) Swing or sliding cut-off saws shall comply with the following requirements:

- (1) All swing or sliding cut-off saws shall be provided with a hood that shall completely enclose the upper half of the saw;
- (2) Limit stops shall be provided to prevent swing or sliding type cut-off saws from extending beyond the front or back edges of the table;
- (3) Each swing or sliding cut-off saw shall be provided with an effective device to return the saw automatically to the back of the table when released at any point of its travel; and
- (4) Inverted cut-off saws shall be provided with a hood that shall cover the part of the saw that protrudes above the top of the table or material being cut; and

(f) Table saws shall comply with the following requirements:

- (1) Circular table saws shall have a hood over the portion of the saw above the table, with the hood mounted so that it shall automatically adjust itself to the thickness of and remain in contact with the material being cut;
- (2) Circular table saws shall have a spreader aligned with the blade spaced no more than 1/2 inch behind the largest blade mounted in the saw. The provision of a spreader in connection with grooving, dadoing, or rabbeting shall not be required;
- (3) Circular table saws used for ripping shall be equipped with a device which will prevent material from kicking back toward the operator and shall be properly adjusted; and
- (4) Feed rolls and blades of self-feed circular saws shall be protected by a hood or guard to prevent the hand of the operator from coming in contact with the in-running rolls at any point.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.58)

New. #8796, eff 1-11-07 (from Lab 1403.58); ss by #10809,
eff 4-9-15 (from Lab 1403.51)

Lab 1403.55 Scaffolds. The employer shall ensure compliance with the following requirements:

- (a) Scaffolds shall be erected on sound, rigid footing capable of carrying the maximum intended load without settling or displacement;
- (b) All planking shall stress-graded lumber to assure the quality of the lumber; and
- (c) The maximum permissible spans for 2 x 10 or wider planks shall be as shown in Table 4 1400.2, Planking Material Thickness:

Table 1400.2 – Planking Material Thickness

	Full Thickness Undressed Lumber			Nominal Thickness Lumber	
	25	50	75	25	50
Working load (p.s.f.)					
Permissible Span (ft.)	10	8	6	8	6

- (d) The maximum permissible span for 1-1/4 x 9 inch or wider plank of full thickness is shall be 4 feet, with medium loading of 50 p.s.f.;
- (e) Scaffold planking shall be overlapped a minimum of 12 inches or secured from movement;
- (f) Scaffold planks shall extend over their end supports not less than 6 inches nor more than 12 inches;
- (g) Defective parts of all scaffolding and accessories shall immediately be replaced or repaired;
- (h) An access ladder or equivalent safe access shall be provided;
- (i) Mobile platforms shall be tightly planked for the full width of the scaffold except for necessary entrance opening, and platforms shall be secured in place;
- (j) All employees working on suspension scaffolds shall be protected by a safety life belt attached to a lifeline which shall comply with the following requirements:
 - (1) The lifeline shall be securely attached to substantial members of the structure, not the scaffold, or to securely rigged lines, which shall safely suspend the employee in case of a fall; and
 - (2) In order to keep the lifeline continuously attached, with a minimum of slack, to a fixed structure, the attachment point of the lifeline shall be changed as the work progresses; and

(k) Tubular welded frame scaffolds shall be properly braced by cross bracing or diagonal braces, or both, for securing vertical members together laterally, as follows:

- (1) The cross braces shall be of such length as shall automatically square and align vertical members so that the erected scaffold is always plumb, square, and rigid; and
- (2) All brace connections shall be made secure.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.69)

New. #8796, eff 1-11-07 (from Lab 1403.59); ss by #10809,
eff 4-9-15 (from Lab 1403.52)

Lab 1403.56 Spray Finishing Operations. The employer shall ensure compliance with the following requirements:

- (a) In conventional dry type spray booths, over-spray dry filters or filter rolls shall ensure an average air velocity over the face of the booth of not less than 100 linear feet per minute;
- (b) Electrostatic spraying operations shall be conducted with an air velocity of not less than 60 linear feet per minute, or more, depending on the volume of the finishing material being applied and its flammability and explosion characteristics ;
- (c) Visible gauges or an audible alarm or pressure-activated devices shall be installed to indicate or ensure that the required air velocity is maintained;
- (d) Filter pads shall be inspected, and clogged filter pads discarded, and replaced. Filter rolls shall be inspected to ensure proper replacement of filter media;
- (e) Spray booths shall be so installed that all portions are readily accessible for cleaning;
- (f) A clear space of not less than 3 feet on all sides of a spray booth shall be kept free from storage or combustible construction;
- (g) There shall be no open flame or spark producing equipment in any spraying area nor within 20 feet thereof, unless separated by a partition capable of stopping vapor travel;
- (h) Electrical wiring and equipment not subject to deposits of combustible residues but located in a spraying area shall be of explosion proof type;

- (i) The quantity of flammable or combustible liquids kept in the vicinity of spraying operations shall be the minimum required for operations and shall not exceed a supply for one day or one shift;
- (j) Whenever flammable or combustible liquids are transferred from one container to another, both containers shall be bonded and grounded to prevent discharge sparks of static electricity;
- (k) All spraying areas shall be kept as free from the accumulation of deposits of combustible residues as practical, with cleaning conducted daily if necessary. Scrapers, spuds, or other such tools used for cleaning purposes shall be of nonspark material;
- (l) Residue scrapings and debris contaminated with residue shall be immediately removed from the premises; and
- (m) "No Smoking" signs in large letters on contrasting color background shall be conspicuously posted at all spraying areas and paint storage rooms.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.70)

New. #8796, eff 1-11-07 (from Lab 1403.60); ss by #10809,
eff 4-9-15 (from Lab 1403.53)

Lab 1403.57 Stairs. The employer shall ensure compliance with the following requirements:

- (a) Every flight of stairs having 4 or more risers shall be equipped with standard stair railings or standard handrails as specified below:
 - (1) On stairways less than 44 inches wide having one side open, at least one stair railing on the open side;
 - (2) On stairways less than 44 inches wide having both sides open, one stair railing on each side; and
 - (3) On stairways more than 44 inches wide but less than 88 inches wide, one handrail on each enclosed side and one stair railing on each open side.
- (b) A stair railing shall be not more than 34 inches nor less than 30 inches from the upper surface of the top rail to the surface of tread in line with the face of riser at the forward edge of tread;
- (c) Riser height and tread width shall be uniform throughout any flight of stairs;

- (d) Hollow pan-type metal stairs shall be filled to the level of the nosing with solid material;
- (e) Fixed stairs shall be provided for access from one structure level to another where operations necessitate regular travel between levels and for access to operating platforms at any equipment which requires attentions routinely during operations. Fixed stairs shall also be provided where access to a raised structure or floor is traveled daily or at each shift where such work might expose employees to harmful substances, or for which purposes that carrying of tools or equipment by hand is normally required; and
- (f) Spiral stairways shall be prohibited except for special limited usage and secondary access situations where it is not practical to provide a conventional stairway.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.71)

New. #8796, eff 1-11-07); ss by #10809, eff 4-9-15

Lab 1403.58 Storage. The employer shall ensure compliance with the following requirements:

- (a) All stored materials stacked in tiers shall be stacked, blocked, interlocked, and limited in height so that they are secure against sliding or collapse;
- (b) Storage areas shall be kept free from accumulation of materials that constitute hazards from tripping, fire, explosion or pest harborage. Vegetation control shall be exercised when necessary; and
- (c) Where mechanical handling equipment is used, aisles that are not clearly defined shall be marked with reflective paint or tape, sufficient safe clearance shall be allowed for aisles, at loading docks, through doorways, and whenever turns or passage is made.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.73)

New. #8796, eff 1-11-07 (from Lab 1403.61); ss by #10809,
eff 4-9-15 (from Lab 1403.54)

Lab 1403.59 Tanks with Open Surface. The employer shall ensure compliance with the following requirements:

- (a) Where ventilation is used to control potential exposure to employees, it shall reduce the concentration of the air contaminant to the degree that a hazard to employees does not exist;
- (b) Whenever there is a danger of toxic substances being splashed, the employees shall wear either tight-fitting chemical goggles or an effective face shield;
- (c) Near each tank containing liquid which might be harmful to the skin if splashed upon the worker's body, there shall be a supply of clean cold water. The water pipe shall be provided with a quick opening valve and at least 48 inches of hose not smaller than three-fourths inch. At no time shall water pressure for eyewashes exceed 25 p.s.i. Alternatively, deluge showers and eye flushes shall be provided; and
- (d) All employees working in and around open-surface tank operations shall be trained by the employer as to the hazards of their respective jobs, and in the personal protection and first aid procedures applicable to these hazards.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.74)

New. #8796, eff 1-11-07 (from Lab 1403.62); ss by #10809,
eff 4-9-15 (from Lab 1403.55)

Lab 1403.60 Tire Cages. The employer shall ensure that a safety tire rack, cage, or equivalent protection shall be provided and used when inflating, mounting, or dismounting tires installed on split rims, or rims equipped with locking rings or similar devices.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.75)

New. #8796, eff 1-11-07 (from Lab 1403.63); ss by #10809,
eff 4-9-15 (from Lab 1403.56)

Lab 1403.61 Toxic Substance

- (a) The employer shall remove hazards from the workplace, and establish policies and work practices aimed at maintaining a safe work environment to protect workers from exposure to hazardous and toxic

substances such as radioactive substances or other hazardous substances which are defined as a toxic substance under RSA 277-A:3 V.

(b) When engineering and administrative controls are not feasible to achieve acceptable levels, protective equipment shall be used to keep the exposure of employees below the established limits.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.77)

New. #8796, eff 1-11-07 (from Lab 1403.64); ss by #10809,
eff 4-9-15 (from Lab 1403.57)

Lab 1403.62 Traffic Control.

(a) The employer shall ensure that an effective means for control of pedestrian and vehicular traffic be instituted on every job site where necessary.

(b) Under the authority of RSA 277:16 and in reference to traffic control devices on job sites, the employer shall ensure compliance with Part 6 of the 2009 Edition with revisions 1 and 2 dated May 2012 of the Federal Highway Administration Manual on Uniform Traffic Control Devices MUTCD approved under 23CFR PART 630, Subpart F, 630.1106 (c), effective January 15, 2010, as specified in Appendix B.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRES: 10-09-06
(formerly Lab 1403.78)

New. #8796, eff 1-11-07 (from Lab 1403.65); ss by #10809,
eff 4-9-15 (from Lab 1403.58)

Lab 1403.63 Trash. The employer shall ensure that all sweepings, solid or liquid wastes, refuse, and garbage shall be removed in such a manner as to avoid creating a menace to health and as often as necessary to maintain good sanitary conditions.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.79)

New. #8796, eff 1-11-07 (formerly Lab 1403.66); ss by
#10809, eff 4-9-15 (from Lab 1403.59)

Lab 1403.64 Tree Care Operations. The employer shall ensure compliance with the following requirements:

- (a) Head protection shall be worn by workers engaged in tree operations. The head protection worn shall contain the manufacturer's certification that it complies with ANSI Z89.1-1981 with revisions. When working in proximity to electrical lines, the head protection worn shall contain the manufacturer's certification that it is a Class B hard hat which complies with ANSI Z89.1-1981 with revisions;
- (b) Safety belts, tree-trimming saddle belts, or a saddle formed by a double bowline on a bight shall be worn to protect workers above ground level;
- (c) Saddle belts or safety belts used for climbing operations shall have forged support rings. Snaps used in climbing ropes or in safety straps, for attachment to the forged support ring, shall be of self-closing safety type. Forged support rings shall be designed so that the snaps will not become disengaged, or roll off accidentally;
- (d) Climbing ropes shall be used when working aloft in trees. Manila ropes shall have minimum diameter of 1/2 inch 12 mm and shall be 3 or 4 strand first-grade manila, with a rated breaking strength of 2385 pounds or equivalent strength and durability. Synthetic rope shall have a maximum elasticity of not more than 7 percent;
- (e) Climbing ropes shall not be used to lower limbs or other parts of trees, or to raise or lower equipment;
- (f) The employer shall provide, and the employee shall use, chaps specifically designed to foul a moving chain whenever chain saws are used;
- (g) All employees shall be instructed in the hazards associated with working in close proximity to overhead power lines;
- (h) It shall be the responsibility of a competent person, as defined by Lab 1402.01, to determine whether tree care operations can be safely performed near energized power lines;
- (i) Rescue procedures for employees working above ground shall be established by the employer, and the employees trained accordingly;
- (j) Brush chipper access panels for maintenance and adjustment shall be closed and secured prior to operation of brush chippers;

- (k) Each rotary drum tree or brush chipper or disk-type tree or brush chipper not equipped with a mechanical in-feed system shall be equipped with an in-feed hopper not less than 85 inches 2.15 m, measured from the blades or knives to ground level over the centerline of the hopper, and shall have sufficient height on its side members so as to prevent personnel from contacting the blades or knives of the machine during normal operations;
- (l) Each disk-type tree or brush chipper equipped with a mechanical in-feed system shall have a quick stop and reversing device on the in-feed. The activating lever for the quick stop and reversing device shall be located across the top, along each side of, and as close to the feed end of the in-feed hopper as practicable and within easy reach of the operator;
- (m) Equipment on which workers stand and spray while the vehicle is in motion shall be equipped with guardrails around the working area;
- (n) When using portable powered brush cutting saws no one except the operator shall be within 10 feet (3m) of the cutting head of the brush saw;
- (o) The power unit shall be equipped with a quick shutoff switch readily accessible to the operator;
- (p) When chainsaws are operated the manufacturer's operating and safety instructions shall be followed;
- (q) Chain saw used by employees shall be equipped with a properly adjusted inertia chain brake designed to stop the chain rotation in the event of a saw kickback;
- (r) Chain saws weighing more than 15 pounds 6.8 kg that are used in trees shall be supported by a separate line, except when used from an aerial-lift device;
- (s) The engine shall be stopped when power saws are being carried. The saw shall not need to be stopped between cuts during consecutive felling, bucking, or climbing or cutting operations on level ground. The chain shall not be turning and the operator's hand shall be off the throttle lever while operators move between work locations. One-man saws shall be carried by the worker on his/her side with the guide bar of the saw pointed to the rear. A two-man saw shall be carried by 2 workers; and
- (t) The engine shall be stopped for all cleaning, refueling, adjustments, and repairs to the saw or motor where practical, except where manufacturer's procedures require otherwise.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.80)

New. #8796, eff 1-11-07 (formerly Lab 1403.67); ss by
#10809, eff 4-9-15 (from Lab 1403.60)

Lab 1403.65 Wall Openings. The employer shall ensure that wall openings, from which there is a drop of more than 6 feet and the bottom of the opening is less than 3 feet above the working surface, be guarded.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.81)

New. #8796, eff 1-11-07 (formerly Lab 1403.68); ss by
#10809, eff 4-9-15
(from Lab 1403.61)

Lab 1403.66 Washing Facilities. The employer shall ensure compliance with the following requirements:

- (a) Washing facilities shall be maintained in a sanitary condition and be provided in every place of employment except for mobile crews or normally unattended work locations where employees have ready access to nearby sanitary facilities; and
- (b) A cleaning agent and either individual hand towels, sections of cloth or paper, warm air blowers, or clean individual sections of continuous cloth toweling shall be provided at washing facilities.

Source. #4118 eff 8-22-86, EXPIRED: 8-22-92

New. #6684, eff 2-4-98, EXPIRED: 2-4-06

New. #8606, INTERIM, eff 4-12-06, EXPIRED: 10-09-06
(formerly Lab 1403.82)

New. #8796, eff 1-11-07 (formerly Lab 1403.69); ss by
#10809, eff 4-9-15 (from Lab 1403.62)

Lab 1403.67 Welding and Cutting. The employer shall ensure compliance with the following requirements:

- (a) Welding equipment shall be chosen for safe application to the work and shall be installed properly. Employees designated to operate welding equipment shall be properly instructed and qualified by the employer or equipment manufacturer to operate it;
- (b) Mechanical ventilation shall be provided when welding or cutting in an area with less than 10,000 cubic feet per welder, or where the overhead height is less than 16 feet;

- (c) Proper shielding and eye protection to prevent exposure of personnel from welding hazards shall be provided;
- (d) When welding in a fixed location the welder shall be enclosed with a booth, or non-combustible screening, with a finish of low reflectivity with respect to visible and ultraviolet radiation;
- (e) Proper precautions for fire protection such as isolating welding and cutting, removing fire hazards from vicinity, and providing a fire watch shall be taken in areas where welding or cutting is being done;
- (f) When welding operations requiring fluxes, coverings, coatings, or alloys, or involving fluorine compounds, zinc, lead, beryllium, cadmium or mercury produce specific health hazards, a competent person shall evaluate potential exposure and ensure necessary protective measures, such as ventilation and personal protective equipment, are used;
- (g) Welding and cutting operations shall be shielded by noncombustible or flameproof shields to protect employees from direct arc rays;
- (h) Arc welding and cutting operations shall be shielded by non-combustible or flameproof shields to protect employees from direct arc rays;
- (i) When electrode holders are left unattended, the electrodes shall be removed and the holder shall be placed or protected so that they cannot make electrical contact with employees or conducting objects;
- (j) All arc welding and cutting cables shall be completely insulated and be capable of handling the maximum current requirements for the job. There shall be no repairs or splices within 10 feet of the electrode holder, except where splices are insulated equal to the insulation of the cable. Defective cable shall be repaired or replaced;
- (k) Fuel gas and oxygen hose shall be easily distinguishable and shall not be interchangeable. Hoses shall be inspected at the beginning of each shift and shall be repaired or replaced if defective; and
- (l) Oxygen and fuel gas regulators shall be in proper working order when in use.

[Source.](#) #10809, eff 4-9-15 (from Lab 1403.63)

Lab 1403.68 Welding in Confined Spaces. The employer shall ensure compliance with the following requirements:

- (a) In addition to the requirements in Lab 1403.14, all welding and cutting operations carried on in confined spaces shall be ventilated to prevent the accumulation of toxic substances or possible oxygen deficiency;

- (b) In such operations where it is impossible to provide such ventilation, air supplied respirators or hose masks, which are labeled to indicate they are approved by Mine Safety and Health Administration MSHA for this purpose, shall be used;
- (c) In areas immediately hazardous to life, hose masks with blowers or self-contained breathing equipment shall be used. The breathing equipment shall be labeled to indicate it is approved by MSHA;
- (d) Where welding operations are carried on in confined spaces and where welders and helpers are provided with hose masks, hose masks with blowers or self-contained breathing equipment, a worker shall be stationed on the outside of such confined spaces to ensure the safety of those working within; and
- (e) Oxygen shall never be used for ventilation.

Source. #10809, eff 4-9-15 (from Lab 1403.64)

Lab 1403.69 Wire Ropes, Chains, and Rigging Equipment. The employer shall ensure compliance with the following requirements:

- (a) Wire ropes, chains, ropes, and other rigging equipment shall be inspected prior to use and as necessary during use to assure their safety. Defective gear shall be removed from service;
- (b) Job or shop hooks and links, or makeshift fasteners, formed from bolts and rods, or other such attachments, shall not be used;
- (c) When U-bolts are used for eye splices, the U-bolt shall be applied so that the “U” section is in contact with the dead end of the rope; and
- (d) When U-bolt wire rope clips are used to form eyes, Table-1400.3, number and spacing of U-Bolt Wire Rope Clips, shall be used to determine the number and spacing of clips:

Table1400.3 Number and Spacing of U-Bolt Wire Rope Clips
Number of Clips

Improved Plow Steel	Drop	Other	Minimum
Rope Diameter Inches	Forged	Material	Spacing (inches)
½	3	4	3
5/8	3	4	3-3/4
¾	4	5	4-1/2
7/8	4	5	4-1/2

1	5	6	6
1-1/8	6	6	6
1-1/4	6	7	7-1/2
1-3/8	7	7	8-1/4
1-1/2	7	8	9

[Source.](#) #10809, eff 4-9-15 (from Lab 1403.65)

Lab 1403.70 Woodworking Machinery. The employer shall ensure compliance with the following requirements:

- (a) All woodworking machinery such as table saws, swing saws, radial saws, band saws, jointers, tenoning machines, boring and mortising machines, shapers, planers, lathes sanders, and veneer cutters, shall be effectively guarded to protect the operator and other employees from hazards inherent to their operation;
- (b) A power control device shall be provided on each machine to make it possible for the operator to cut off the power to the machine without leaving his or her position at the point of operation;
- (c) Power controls and operating controls shall be located within easy reach of the operator while he or she is at his or her regular work location, making it unnecessary to reach over the cutter to make adjustments. This shall not apply to constant pressure controls used only for setup purposes;
- (d) Each operating treadle shall be protected against unexpected or accidental tripping;
- (e) Disconnect switches shall be capable of being locked or tagged in the off position; and
- (f) On applications where injury to the operator might result if motors were to restart after a power failure, provision shall be made to prevent machines from automatically restarting upon restoration of power.

[Source.](#) #10809, eff 4-9-15 (from Lab 1403.66)

APPENDIX A

Rule	Statute
Lab 1401.01 & 1401.02	RSA 281-A:64, RSA 273:9, RSA 277:13, RSA 277:15
Lab 1401.03 - Lab 1403.35	RSA 281-A:64
Lab 1402.01 & 1402.03	RSA 281-A:64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1402.04	RSA 281-A:64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15

Lab 1402.05	RSA 277:1-b, V
Lab 1403.04	RSA 277:15-a, RSA 277:15-b
Lab 1403.05 – 1403.29	RSA 281-A:64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.30	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.31 - 1403.54	RSA 281-A: 64, RSA 273:9, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.55	RSA 281-A: 64, RSA 273:9, RSA 277: 2, RSA 277:3, RSA 277: 4, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.56 - 1403.65	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA277:11, RSA 277:13, RSA 277:15
Lab 1403.66	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA 277:11, RSA 277:13, RSA 277:15
Lab 1403.67 - 1403.70	RSA 281-A:64, RSA 273:9, RSA 277:10, RSA 277:11, RSA 277:13, RSA 277:15

APPENDIX B

Rule	Title	Obtain at:
Lab 1403.62(b)	Part 6 of the 2009 Edition of the Federal Highway Administration Manual on Uniform Traffic Control Devices (MUTCD) with Revisions 1 and 2, May 2012 approved under Rules 23CFR PART 630, Subpart F, 630.1106 (c), effective January 15, 2010	<p>The material can be obtained at no cost on the US Department of Transportation Federal Highway Administration's web site: http://mutcd.fhwa.dot.gov/pdfs/2009/part6.pdf and Links to hard copy publications can be found on their web site at http://mutcd.fhwa.dot.gov/ser-pubs.htm.</p> <p>Costs for hard a copy of publication: AASHTO Bookstore - \$60.00 for non-members; American Traffic Safety Services Assoc. - \$29.70 for non-members (\$22.50 for Flash Drive); Institute of Transportation Engineers - \$50.00; IMSA \$100.00</p>