

HAWAII ADMINISTRATIVE RULES

TITLE 12 DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

SUBTITLE 8

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

PART 3

CONSTRUCTION STANDARDS

CHAPTER 114.2

PERSONAL PROTECTIVE AND LIFE SAVING EQUIPMENT

- §12-114.2-1 Incorporation of federal standard
- §12-114.2-2 Definitions
- §12-114.2-3 Responsibility for personal protective equipment

Historical note: Chapter 12-114.2 is based substantially upon chapter 12-114 [Eff 7/12/82; am 9/27/84; am 8/5/88; 6/8/92; R 12/15/95]; and chapter 12-114.1, adopted as an emergency temporary standard. [Eff 3/2/95; R 8/10/95]

§12-114.2-1 Incorporation of federal standard. Title 29, Code of Federal Regulations, Subpart E, entitled "Personal Protective and Life Saving Equipment" published by the Office of the Federal Register, National Archives and Records Administration, on December 30, 1971; and the amendments published on February 9, 1979; April 6, 1979; June 30, 1993; August 9, 1994; January 26, 1995; August 2, 1995; August 9, 1995; March 7, 1996; June 20, 1996; and January 8, 1998 are made a part of this chapter, except as provided in section 12-114.2-2. [Eff 8/10/95; am 1/26/96; am 11/16/96; am 5/2/97; am 7/6/98] (Auth: HRS §396-4) (Imp: HRS §396-4)

§12-114.2-2 Definitions. As used in 29 CFR Subpart E and applied to this chapter:

"Provided" means the employer is required to pay for at no cost to the employee, as well as require the use of the equipment, apparatus or service. The exception is for personal protective equipment which is very personal in nature and usable by the employee off the job.

"Subpart D" means chapters 12-112, 12-116, 12-117, 12-118, 12-145.1, 12-146, 12-148.1, 12-149, 12-150, 12-151, 12-152, 12-201, and 12-202.

"Table D-2, Permissible Noise Exposures, in §1926.52" means an 8-hour time-weighted average of 85 dBA. [Eff 8/10/95; am 1/26/96; am 7/6/98] (Auth: HRS §396-4) (Imp: HRS §396-4)

§12-114.2-3 Responsibility for personal protective equipment.
When an occupational safety and health standard in this Part requires that personal protective equipment be provided, used, or worn, the employer is required to pay for that personal protective equipment except for that personal protective equipment which is very personal in nature and usable by the employee off the job. [Eff 7/6/98]
(Auth: HRS §396-4) (Imp: HRS §396-4)