

HAWAII ADMINISTRATIVE RULES

TITLE 12

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

SUBTITLE 8

DIVISION OF OCCUPATIONAL SAFETY AND HEALTH

PART 4

CONSULTATION AGREEMENTS

CHAPTER 160

CONSULTATION AGREEMENTS

- §12-160-1 State amendments to 29 CFR 1908
- §12-160-2 Incorporation of federal standard

§12-160-1 State amendments to 29 CFR 1908. 29 CFR 1908.7(b)(4) is amended to read as follows: exemption program operated by the HIOSH consultation project provides incentives and support to small employers to work with their employees to develop, implement, and continuously improve the effective safety and health management system.

(i) Programmed Inspection Schedule.

- (A) When an employer requests participation in a recognition and exemption program, the employer agrees to a comprehensive consultation visit which will review and evaluate the safety program as well as its implementation throughout one or more sites; correct all hazards identified during the course of the consultative visit within established time frame; and complete the implementation of all the elements of an effective safety and health program. The employer agrees to request a consultative visit if major changes in working conditions or work occur which may introduce new hazards. HIOSH's programmed inspections at that part of the site will be deferred while the employer is working to achieve recognition and exemption status.
- (B) Employers who meet all the requirements for recognition and exemption will have their establishments removed from HIOSH's programmed inspection schedule for a period of exemption. The exemption period will extend from the date of the last abatement.

(ii) Inspections. HIOSH will continue to make inspections in the following categories at sites with recognition status and have been granted exemption from HIOSH's programmed inspection schedule: granted inspection deferrals as provided for under 1908.7(b)(4)(i)(A) of this section:

- (A) Imminent Danger.
- (B) Reportable Accidents.
- (C) Formal Complaints. [Eff 3/23/01; am 12/29/01] (Auth: HRS §396-4) (Imp: HRS §396-4)

§12-160-2 Incorporation of federal standard. Title 29, Code of Federal Regulations, Part 1908 entitled "Consultation Agreements" published by the office of the Federal Register, National Archives and Records Administration, on June 19, 1984; and the amendments published on June 7, 1989 and October 26, 2000, are made a part of this chapter, except as provided in section 12-160-1. [Eff 3/23/01] (Amended by HRS §396-4) (Imp: HRS §396-4)