

**Annual List of Rule-Making Activity**  
**Rules Adopted January 1, 2016 to December 31, 2016**  
*Prepared by the Secretary of State, pursuant to 5 MRS, §8053-A, sub-§5*

**Agency name:** Department of Labor, Bureau of Labor Standards, **Board of Occupational Safety and Health**  
**Umbrella-Unit:** **12-179**  
**Statutory authority:** 26 MRS §565  
**Chapter number/title:** **Ch. 2**, Occupational Safety and Health Standards for General Industry Employment in the Public Sector  
**Filing number:** **2016-156**  
**Effective date:** 9/28/2016  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

To assure the rule covering public employees conform with the federal standards as required in Title 26 MRS ch. 6 §565.

**Basis statement / summary:**

The board shall formulate and adopt reasonable rules, pursuant to Title 5 ch. 375 subchapter II, for safe and healthful working conditions, including rules requiring the use of personal protective equipment, monitoring and record keeping. The rules so formulated shall at a minimum conform to federal standards of occupational safety and health, so that the state program can be federally approved as a public employee only occupational safety and health program. These rules shall not become effective sooner than 90 days after the date of adoption and promulgation.

Maine became a federally approved state plan for public sector only on August 5, 2015. To maintain grant funding the state needs to periodically adopt the most current standards to reflect changes at the federal level.

Recent federal changes include but not limited to hazard communication/global harmonization and personal protective equipment (PPE).

**Fiscal impact of rule:**

*(not addressed)*

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**Agency name:** Department of Labor, Bureau of Labor Standards, **Board of Occupational Safety and Health**  
**Umbrella-Unit:** **12-179**  
**Statutory authority:** 26 MRS §565  
**Chapter number/title:** **Ch. 3**, Occupational Safety and Health Standards for Construction Industry Employment in the Public Sector  
**Filing number:** **2016-157**  
**Effective date:** 9/28/2016  
**Type of rule:** Routine Technical  
**Emergency rule:** No

**Principal reason or purpose for rule:**

To assure the rules covering public employers conform with the federal standards as required in Title 26 MRS ch. 6 §565.

**Basis statement / summary:**

The board shall formulate and adopt reasonable rules, pursuant to Title 5 ch. 375 subchapter II, for safe and healthful working conditions, including rules requiring the use of personal protective equipment, monitoring and record keeping. The rules so formulated shall at a minimum conform to federal standards of occupational safety and health, so that the state program can be federally approved as a public employee only occupational safety and health program. These rules shall not become effective sooner than 90 days after the date of adoption and promulgation.

Maine became a federally approved state plan for public sector only on August 5, 2015. To maintain grant funding the state needs to periodically adopt the most current standards to reflect changes at the federal level.

Recent federal changes include but not limited to permit required confined spaces and cranes and derricks.

**Fiscal impact of rule:**

*(not addressed)*