



ADMINISTRATIVE RULES OF MONTANA



24.30.2575 EMPLOYERS WITH MORE THAN FIVE EMPLOYEES – SAFETY PROGRAM – SAFETY COMMITTEE

- (1) To determine if an employer must have a safety program because the employer has more than five employees, the employer shall count all fulltime, part-time, regular, temporary, leased, and seasonal workers under the employer's direction and control. This rule applies whenever there are more than five employees and continues unless or until the number of employees is less than six for three consecutive months.
- (2) If an employer is a party to a collective bargaining agreement that provides for the establishment and operation of a safety committee, the terms of the collective bargaining agreement shall govern the operation of the safety committee, notwithstanding any other provisions of these rules.
- (3) Federal law prohibits domination of a safety committee by management. A safety committee must be composed of representatives of both employees and management.
- (4) A safety committee shall meet at least twice per year.
- (5) The employer shall maintain records of the safety program for three years, including employee participation in any aspect of the safety program.
- (6) The department shall not grant waivers of a safety program's safety committee requirement for any employer under any workers' compensation plan pursuant to 39-71-1505, MCA.

Authorizing statute(s): 39-71-1505, MCA

Implementing statute(s): 39-71-1505, MCA

History: NEW, 2024 MAR p. 2203, Eff. 9/21/24.