



## ADMINISTRATIVE RULES OF MONTANA

### 24.30.102 OCCUPATIONAL SAFETY AND HEALTH CODE FOR PUBLIC SECTOR EMPLOYMENT

- (1) The department adopts by reference certain occupational safety and health standards, adopted by the United States Secretary of Labor under the federal Occupational Safety and Health Act of 1970.
- (2) As used in the rules adopted by reference in (3) and (4)(a), unless the context clearly requires otherwise, the following definitions apply:
  - (a) "Act" means the Montana Occupational Safety and Health Act (50-71-111 through 50-71-128, MCA).
  - (b) "Assistant secretary of labor" or "secretary" means the commissioner of the Montana Department of Labor and Industry.
  - (c) "Establishment" means a single physical location where business is conducted or where services or industrial operations are performed. For activities where employees do not work at a single physical location, such as construction, transportation, communications, electric, gas and sanitary services, and similar operations, an establishment exists at each main or branch office, terminal, station, etc., that either supervise such activities or are the base from which personnel carry out these activities.
  - (d) "Injury or illness" has the same meaning provided in 39-71-119, MCA.
- (3) The Department of Labor and Industry adopts by reference the following occupational safety and health standards found in the Code of Federal Regulations (CFR), as of July 1, 2018:
  - (a) Title 29, Part 1910; and
  - (b) Title 29, Part 1926.
- (4) The Department of Labor and Industry adopts by reference the following occupational safety and health reporting requirements found in the Code of Federal Regulations, as of July 1, 2018:
  - (a) 29 CFR 1904.4 through 1904.11;
  - (b) 29 CFR 1904.29 through 1904.33;
  - (c) 29 CFR 1904.35 and 1904.36; and
  - (d) 29 CFR 1904.39 through 1904.42.
  - (e) For the purposes of reporting fatalities, hospitalizations, amputations, and loss of an eye pursuant to 29 CFR 1904.39, the employer shall contact the department directly using the department's website or by phone.

- (5) Copies of the rules adopted by reference are available by accessing the United States Department of Labor's website.

**Authorizing statute(s):** 50-71-114, MCA

**Implementing statute(s):** 50-71-112, 50-71-114, 50-71-115, 50-71-117, 50-71-118, MCA

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**History:** NEW, Eff. 11/4/74; AMD, Eff. 8/5/76; AMD, 1991 MAR p. 2490, Eff. 12/13/91; AMD, 1995 MAR p. 680, Eff. 6/1/95; AMD, 1996 MAR p. 273, Eff. 3/1/96; AMD, 1997 MAR p. 692, Eff. 5/7/97; AMD, 2002 MAR p. 1552, Eff. 5/31/02; AMD, 2003 MAR p. 1884, Eff. 8/29/03; AMD, 2004 MAR p. 2811, Eff. 11/19/04; AMD, 2006 MAR p. 1220, Eff. 5/19/06; AMD, 2007 MAR p. 1097, Eff. 8/10/07; AMD, 2008 MAR p. 1805, Eff. 8/29/08; AMD, 2015 MAR p. 1056, Eff. 7/31/15; AMD, 2019 MAR p. 849, Eff. 6/22/19; AMD, 2024 MAR p. 2203, Eff. 9/21/24.