

CANCELLED



**State of Alaska
Department of Labor and Workforce Development
Division of Labor Standards and Safety**

AKOSH Program Directive 06-04 - Amendment

Date: May 5, 2006

To: Distribution List

From: Grey R. Mitchell Director

Subject: **8 AAC 61.425 – Exemption from scheduled enforcement inspections; clarification on the procedures to be used by consultants to address the requirements in this Alaska Administrative Code.**

This amendment to Program Directive, PD 06-04, is notice that Alaska Department of Labor & Workforce Development, Division of Labor Standards & Safety will incorporate amendments to item 2 below (in bold) and the form (attached) to the new administrative procedures to clarify employer responsibilities as provided by Region X in their March 8, 2006 letter.

Effective Date: May 5, 2006

AKOSH is establishing the following new administrative procedures to clarify AKOSH and employer responsibilities relating to 8 AAC 61.425.

1. **AKOSH Consultation Officers** will go over the requirements of 8 AAC 61.425 with an employer as part of the opening conference of a comprehensive consultation visit. The consultant will explain that each contractor working on the site will be required to adhere 8 AAC 61.425 in order to receive a one year exemption from general scheduled enforcement inspections. Subcontractors will not be exempt, unless they also receive a comprehensive consultation visit and adhere to 8 AAC 61.425.
2. **AKOSH Consultation Officers** will provide the employer with a “Notice of AKOSH Consultation Visit” form at the closing conference and request that the employer sign and date the form to acknowledge rights and responsibilities under 8 AAC 61.425. The consultant will place a copy of the signed form in the employer’s report and **inform the employer of the**

requirement to post the form at a prominent place at the work site.

The form will assist AKOSH enforcement officers to be more efficient by helping to eliminate confusion about whether a particular employer is covered by 8 AAC 61.425.

Please ensure that all members of your staff receive a copy of this program directive and understand how to implement these revisions.

Attachments: "Notice of AKOSH Consultation Visit" form

Distribution List w/o attachment

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Distribution List with attachment

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**ALASKA DEPARTMENT OF LABOR
& WORKFORCE DEVELOPMENT**

Labor Standards & Safety Division
Occupational Safety & Health – Consultation
1-800-656-4972

NOTICE OF AKOSH CONSULTATION VISIT

(Post Prominently on the Job Site)

On this date: _____, consultant, _____, had a closing conference with this employer.

This employer, _____, at this site address, _____, agrees to adhere to the following Alaska Administrative Code to be able to have a one year exemption from general scheduled inspections.

Sub-contractors must receive a visit & sign the agreement to be exempt.

8 AAC 61.425 Exemption from scheduled enforcement inspections

(a) An employer will, upon request, be exempt from a general scheduled enforcement inspection for a period of one year after the end of the closing conference of a consultative on-site visit that covers all conditions and operations in the workplace, if the employer

(1) corrects all hazards identified by the consultant within the time agreed upon;

(2) posts a notice in the workplace that all hazards have been corrected;

(3) demonstrates that core elements of an effective safety and health program are in effect, and that any remaining elements of an effective safety and health program, as specified by the consultant, will be implemented within a reasonable, agreed-upon, time; and

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(4) agrees to request a consultative visit if changes in working conditions or work processes occur which may introduce new hazards.

(b) This section does not provide an exemption from enforcement inspections conducted as a result of an employee complaint, an industrial accident, an imminent danger or a referral.

Employer requests exemption:

Employer signature: _____ Date: _____