

Regulation of the
Department of Labor

Concerning
**National Consensus Standards: Head
Protection**

Regulations adopted after July 1, 2013, become effective upon posting to the website of the Secretary of the State, or at a later date specified within the regulation.

Website posted on
December 13, 2013

Effective Date
December 13, 2013

Approved by the Attorney General on
August 21, 2013

Approved by the Legislative Regulation Review
Committee on
November 26, 2013

Received and filed in the Office of the
Secretary of the State on
December 9, 2013

Electronic copy with agency head certification statement
submitted to the Office of the
Secretary of the State on
December 9, 2013

Published in the Connecticut Law Journal on

Purpose and Legal Disclaimer: This form was designed to facilitate submission of the "statement from the department head" required by CGS 4-172(a) as amended by PA 12-92, Section 6. This form does not constitute legal advice. The Office of the Secretary of the State (SOTS) is not authorized to provide legal advice to state agencies. Consult with your agency's legal counsel before completing and submitting this form for filing

Instructions: (1) Save a copy of this document to your computer; (2) To enter data, use the Tab key to move between fields, or click-and-highlight an entire <text field>; (3) When complete, submit to your agency's legal counsel for review and approval; (4) After approval by counsel, PRINT and submit to your agency head for his/her original signature; (5) Scan the originally-signed form and submit it as an email attachment, along with the electronic copy of the regulation that the statement certifies, to regulations.sots@ct.gov; (6) retain the originally-signed copy for your agency's regulation-making record.

Submit the electronic copy and its certification statement to the Secretary of the State at regulations.sots@ct.gov concurrently with the paper copy of the original regulation, as required by CGS Section 4-172 as amended.

Electronic Copy Certification Statement

I, Sharon M. Palmer, Commissioner, of the Connecticut Department of Labor, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut*, do hereby certify:

That the electronic copy of a regulation concerning **OSHA Revisions (National Consensus Standards: Head Protection)**, which was approved by the Legislative Regulation Review Committee on **November 26, 2013**, and which shall be submitted electronically for filing to the Secretary of the State by **Anne Rugens** of this agency on **December 9, 2013**, is a true and accurate copy of the original regulation approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*.

In testimony whereof, I have hereunto set my hand on **December 5, 2013**.


(Signature of agency head)

R-39 Rev. 03/2012
(Title page)

IMPORTANT: Read instructions on back of last page (Certification Page) before completing this form. Failure to comply with instructions may cause disapproval of proposed Regulations

State of Connecticut
REGULATION
of

NAME OF AGENCY	Connecticut Department of Labor
SUBJECT MATTER OF REGULATION	Concerning National Consensus Standards: Head Protection

Section 1. Sec. 31-372-101-1910 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-101-1910. Safety and health standards for general industry

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Subpart A	Authority	11/16/12	Amended
1910.6	Incorporation by reference	11/16/12	Amended
1910.135	Head protection	11/16/12	Amended

Sec. 2. Section 31-372-102-1915 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-102-1915. Safety and Health Regulations for Ship Repairing

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Subpart A			
1915.5	Incorporation by reference	11/16/12	Amended
1915.155	Head protection	11/16/12	Amended

Sec. 3. Section 31-372-104-1917 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-104-1917. Safety and Health Regulations for Shipbreaking

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Part 1917	Authority	11/16/12	Amended
Subpart A			
1917.3	Incorporation by reference	11/16/12	Amended

Subpart E 1917.93	Head protection	11/16/12	Amended
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Sec. 4. Section 31-372-105-1918 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-105-1918. Safety and Health Regulations for Longshoring

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Part 1918 Appendix I Subpart A 1918.3	Authority	11/16/12	Amended
Appendix I Subpart J 1918.103	Incorporation by reference	11/16/12	Amended
	Head protection	11/16/12	Amended

Sec. 5. Section 31-372-107-1926 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-107-1926. Safety and Health Standards for Construction Industry

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Subpart A 1926.6	Authority	11/16/12	Amended
Subpart E 1926.100	Incorporation by reference.	11/16/12	Amended
	Authority	11/16/12	Amended
	Head protection.	11/16/12	Amended

Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.

Statement of Purpose: The adoption by reference of these revisions to the Federal Occupational Safety and Health Standards will serve to update Connecticut Occupational Safety and Health Standards in accordance with Section 31-372 of the Connecticut General Statutes. On June 22, 2012, the federal Occupational Safety and Health Administration published its intent to update the Head Protection standard. Notification of the September 22, 2012 effective date of the standard was published in the Federal Register on November 20, 2012.

Conn. Gen. Stat. 31-372 requires, as an element of Connecticut's approved Public Sector-Only State Plan, that the Department of Labor's Occupational Safety and Health Division (CONN-OSHA) adopt all occupational health and safety standards, amendments or changes adopted or recognized by the United States Secretary of Labor under the authority of the Occupational Safety and Health Act of 1970.

These proposed adoptions by reference reflect OSHA's revisions to the Head Protection Standard wherein OSHA updated the references in its standards to recognize the 2009 edition of the American National Standard for Industrial Head Protection, and deleted the 1986 edition of that national consensus standard because it was out of date. OSHA also included the construction industry in the rulemaking to ensure consistency amount the standards.

http://www.osha.gov/FedReg_osha_pdf/FED20121116B.pdf

http://www.osha.gov/FedReg_osha_pdf/FED20120622A.pdf

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(Certification page—see Instructions on back)

CERTIFICATION

This certification statement must be completed in full, including items 3 and 4, if they are applicable.

- 1) I hereby certify that the above (check one) Regulations Emergency Regulations
- 2) are (check all that apply) adopted amended repealed by this agency pursuant to the following authority(ies): (complete all that apply)
 - a. Connecticut General Statutes section(s) 31-372.
 - b. Public Act Number(s) _____.
(Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)
- 3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the **Connecticut Law Journal** on June 25, 2013;
(Insert date of notice publication if publication was required by CGS Section 4-168.)
- 4) And that a public hearing regarding the proposed regulations was held on July 25, 2013;
(Insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)
- 5) And that said regulations are **EFFECTIVE** (check one, and complete as applicable)
 - When filed with the Secretary of the State
 - OR on (insert date) _____

DATE	SIGNED (Head of Board, Agency or Commission)	OFFICIAL TITLE, DULY AUTHORIZED
8/7/13	<i>Sharon Palma</i>	Comm. of Harbor

APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE	SIGNED (Attorney General or AG's designated representative)	OFFICIAL TITLE, DULY AUTHORIZED
8/21/13	<i>Joseph Rubin</i>	ASSOC. ATTY. GENERAL

Proposed regulations are **DEEMED APPROVED** by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney General fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

- Approved Rejected without prejudice
- Approved with technical corrections and deletions Disapproved in part, (Indicate Section Numbers disapproved only)
- Deemed approved pursuant to CGS Section 4-170(c)

By the Legislative Regulation Review Committee in accordance with CGS Section 4-170, as amended	DATE	SIGNED (Administrator, Legislative Regulation Review Committee)
	11/26/13	<i>[Signature]</i>

Two certified copies received and filed and one such copy forwarded to the Commission on Official Legal Publications in accordance with CGS Section 4-172, as amended.

DATE	SIGNED (Secretary of the State)	BY

(For Secretary of the State Use ONLY)