

NOTICE OF PUBLIC HEARING

The Ohio Bureau of Workers' Compensation will hold a public hearing on Wednesday, February 25, 2009, at 2:00 p.m., in Room G, 3rd Floor, 30 West Spring Street, Columbus, Ohio 43215, to consider the following:

Amendment of the following rules for the purpose as shown below:

- 4123:1-3-01 Scope and definitions.**
- 4123:1-3-03 Personal protective equipment.**
- 4123:1-3-04 Floors, stairways, railing, overhead protection and guarding of open-sided floors, platforms and runways.**
- 4123:1-3-06 Motor vehicles, mechanized equipment and marine operations.**
- 4123:1-3-07 Cranes, hoists, and derricks.**
- 4123:1-3-08 Ropes, chains and slings.**
- 4123:1-3-09 Roofing devices.**
- 4123:1-3-10 Scaffolding.**
- 4123:1-3-11 Ladders.**
- 4123:1-3-12 Portable explosive-actuated fastening tools.**
- 4123:1-3-13 Trenches and excavations.**
- 4123:1-3-14 Electrical conductors, wires and equipment.**
- 4123:1-3-15 Explosives and blasting.**
- 4123:1-3-16 Tunnels and shafts, caissons, cofferdams, and compressed air.**
- 4123:1-3-18 Heating, ventilating and exhaust equipment.**
- 4123:1-3-20 Steel erection.**
- 4123:1-3-22 Woodworking machines, power saws, and other tools and equipment.**
- 4123:1-3-23 Helicopters.**
- 4123:1-3-24 Roof car suspended platforms - construction.**

Chapter 4123:1-3 of the Administrative Code contain the construction safety rules. An employer's violation of a specific safety rule can lead to an additional award for the injured worker (VSSR award). Pursuant to R.C. 119.032, BWC reviewed these rules for five year rule review.

Personnel from the BWC Division of Safety and Hygiene met with professionals from labor and management in the construction industry to review these rules. The stakeholders included representatives from the Ohio State Building and Construction Trade Council, South Central Ohio District Council of Carpenters JATC, Norris Brothers Co., Allied Construction Industries (Cincinnati), the Builders Exchange of Central Ohio, and the Construction Employers Association of Cleveland.

The full and complete text of the proposed rules is available at the Register of Ohio (<http://www.registrofohio.state.oh.us>) and is on file in the office of the Secretary of State (180 East Broad Street, 15th Floor, Columbus, Ohio), the Legislative Service Commission (77 South High Street, 9th Floor, Columbus, Ohio), the office of the Joint Committee on Agency Rule Review (77 South High Street, Concourse Level, Columbus,

Ohio), the Bureau of Workers' Compensation, Legal Operations (30 West Spring Street, 26th Floor, Columbus, Ohio), the Bureau of Workers' Compensation (30 West Spring Street, Columbus, Ohio, 1st Floor, Hearing Rooms), and all service offices of the Bureau.

All interested parties will be given an opportunity to be heard. Any interested party unable to attend the public hearing may submit written comments to the undersigned prior to the public hearing.

THE OHIO BUREAU OF WORKERS' COMPENSATION

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