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**IDAPA 07
TITLE 08
CHAPTER 01**

**07.08.01 - IDAHO MINIMUM SAFETY STANDARDS AND PRACTICES
FOR LOGGING -- GENERAL PROVISIONS**

000. LEGAL AUTHORITY.

Pursuant to the provisions of Section 67-2601A, Idaho Code, the Division of Building Safety has the authority to promulgate and adopt rules for affecting the purposes therein. (3-29-17)

001. TITLE AND SCOPE.

These rules shall be cited as IDAPA 07.08.01, "Idaho Minimum Safety Standards and Practices for Logging -- General Provisions," and shall be applicable to the logging industry in the state of Idaho. (7-1-97)

002. WRITTEN INTERPRETATIONS.

There are no written statements which pertain to the interpretation of these rules. (7-1-97)

003. ADMINISTRATIVE APPEALS.

The procedure for appeals in logging safety matters is prescribed by IDAPA 07.08.16, "Idaho Minimum Safety Standards and Practices for Logging – Recommended Safety Program," and Title 67, Chapter 52, Idaho Code. (3-29-17)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into these rules. (3-29-17)

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Division of Building Safety, Logging Safety Program, is at the Division office located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The Logging Safety Program may also be contacted at 1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho 83814, and at 2055 Garrett Way, Suite 4, Pocatello, Idaho 83201. All locations are open from 8:00 a.m. to 5:00 p.m., except Saturday, Sunday and legal holidays. The telephone number of the office is (208) 334-3950. The facsimile number of the office is 1-877-810-2840. The Department website is <http://dbs.idaho.gov>. (3-29-17)

006. PUBLIC RECORDS ACT COMPLIANCE.

The rules contained herein have been promulgated according to the provisions of Title 67, Chapter 52, Idaho Code, and are public records. (3-29-17)

007. DEFINITIONS.

Terms used in these standards shall be interpreted in the most commonly accepted sense, excepting only those specifically defined. In addition to the terms defined in this section, refer to IDAPA 07.08.18, "Commonly Used Logging Terms," for additional definitions of logging terms. (3-29-17)

01. Administrator. The Administrator of the Division of Building Safety. (3-29-17)

02. Approved. The term approved shall mean approved by the Division of Building Safety. (7-1-97)

03. Division. The Division of Building Safety. (7-1-97)

04. Equipment. The term, as used, shall mean and include all machines, machinery, tools, devices, safeguard, and protective facilities used in connection with logging operations, regardless of ownership. (3-29-17)

05. Exposed to Contact. Shall mean the location of a hazardous object is so accessible that a workman may, in the course of his employment, come into contact with the object. (7-1-97)

06. Guarded. Guarded shall mean covered, shielded, or railed so as to remove the possibility of dangerous contact or approach by employees or objects. It shall further mean construction of guards to ensure protection from flying objects where applicable. (3-29-17)

07. Hazard. Hazard, as used in these standards, shall mean any condition or circumstance which may cause injury to an employee. (7-1-97)

08. It is Recommended, or Should. When these terms are used they shall indicate provisions which are not mandatory. (7-1-97)

09. Log or Logs. When the word log or logs is used, it includes poles, piling, pulpwood, skids, etc. (7-1-97)

10. Safety Factor or Factor of Safety. This term as used is the ratio of the ultimate breaking strength of a member or piece of material to the actual working stress or to the maximum permissible (safe load) stress. For example: When a safety factor of six (6) is required, the structure, lines, hoists, or other equipment referred to shall be such as to provide a strength sufficient to support a load equal to six (6) times the total weight or stress to be imposed on it. (3-29-17)

11. Shall, Will. Is compulsory or mandatory. (3-29-17)

12. Standard Safeguard. Shall mean a device designed and constructed with the object of removing the hazard of an accident incidental to the machine, appliance, tool, building or equipment to which it is attached. (3-29-17)

13. Substantial. Shall mean constructed of such strength, of such material, and of such workmanship, that the object referred to will withstand normal wear, shock and usage. (7-1-97)

008. INTERPRETATION AND APPLICATION OF THESE RULES.

01. Scope. These rules are part of the state of Idaho industrial accident prevention program and have the full force and effect of law. (3-29-17)

02. Jurisdiction. In accordance with the laws of the state of Idaho, every employer and every employee working in the state of Idaho shall comply with the rules contained herein. (3-29-17)

03. Enforcement. The enforcement of all rules of this chapter and the right of inspection and examination, at any time, shall rest with the Division. (3-29-17)

04. Issues Not Covered. Where specific standards in these rules fail to provide a rule or standard applicable to the operation in question, and other state of Idaho codes or standards are applicable, those codes or standards shall apply. (3-29-17)

05. Interpretations. Should any controversy develop as to the intent or application of any standard or rule as set forth in these rules, or the interpretation of any standard or rule set forth in these rules, such controversy shall be called to the direct attention of the Division, which shall render a decision as the applicability of such rule or standard. Any appeal from this decision shall be directed to the Administrator. (3-29-17)

06. Additional Standards. It is recognized that a definite, positive safety standard cannot anticipate all contingencies. The Division, after due notice and opportunity to be heard, may require additional standards and practices to insure adequate safety at any place of any employment, and, on its own motion or upon application of any employer, employee, group, or organization, may modify any provision of this rule. (7-1-97)

07. Exceptions. In exceptional cases where the rigid application or compliance with a requirement can only be accomplished to the detriment and serious disadvantage of an operation, method, or process, exception to the requirement will be considered upon written application to the Division. After thorough investigation, the Division may grant an exception if human life and physical well being will not be endangered by such exception. (3-29-17)

08. Existing Buildings, Structures, and Equipment. Nothing contained in this rule for logging safety shall prevent the use of existing buildings, structures, and equipment during their lifetime when maintained in good

safe condition, and properly safeguarded, or require conformance with the applicable safety standards required by Idaho Safety Codes effective prior to the effective date of this rule, provided that replacements and alterations shall conform with all provisions of these rules. (3-29-17)

009. EMPLOYER'S RESPONSIBILITY.

01. General Requirements. (7-1-97)

a. Every employer subject to these rules shall furnish employment and maintain places of employment that are safe according to the standards as set forth herein. (3-29-17)

b. Every employer shall adopt and use practices, means, methods, operations and processes that are adequate to render such employment and place of employment safe. (3-29-17)

i. Employers shall place highly visible "LOGGING AHEAD" or similar-type warning signs at the entrances of active logging jobs. Employers shall also place "TRUCKS AHEAD," "TRUCKS ENTERING," "TREE FALLING," and "CABLES OVERHEAD," whenever applicable (3-29-17)

ii. Every employer shall furnish to its crew a Company Emergency Rescue Plan. (3-29-17)

c. Every employer should insure that Safety Data Sheets (SDS) are reasonably accessible for every hazardous material. (3-29-17)

d. Every employer shall post and maintain in a conspicuous place or places in and about his place or places of business a written notice stating the fact that he has complied with the worker's compensation law as to securing the payment of compensation to his employees and their dependents in accordance with the provisions of Idaho law. Such notice shall contain the name and address of the surety, as applicable, with which the employer has secured payment of compensation. Such notice shall also be readily available on the site where logging operations are occurring, and available for inspection by Division officials upon request. (3-29-17)

e. Every employer shall do all other things as required by these rules to protect the life and safety of employees. (3-29-17)

f. No employer shall require any employee to go or be in any place of employment that does not meet the minimum safety requirement of these rules, except for the purpose of meeting such requirements. (3-29-17)

g. No employer shall fail or neglect: (7-1-97)

i. To make available and use safety devices and safeguards as are indicated. (7-1-97)

ii. To adopt and use methods and processes adequate to render the employment and place of employment safe. (7-1-97)

iii. To do all other things as required by these rules to protect the life and safety of employees. (3-29-17)

h. No employer, owner or lessee of any real property shall construct or cause to be constructed any place of employment that does not meet the minimum safety requirements of these rules. (3-29-17)

i. No person, employer, employee, other than an authorized person, shall do any of the following: (3-29-17)

i. Remove, displace, damage, destroy or carry off any safeguard, first aid material, notice or warning, furnished for use in any employment or place of employment, or interfere in any way with the use thereof by any other person. (7-1-97)

ii. Interfere with the use of any method or process adopted for the protection of any employee,

including himself, in such employment or place of employment. (7-1-97)

iii. No person shall fail or neglect to do all other things as required by these rules to protect the life and safety of employees. (3-29-17)

iv. The use of intoxicants or drugs while on duty is prohibited. Persons reporting for duty while under the influence of or impaired by liquor or other legal or illegal drugs or substances shall not work until completely recovered. (3-29-17)

j. A procedure for checking the welfare of all workers during working hours shall be instituted and all workmen so advised. The employer shall assume responsibility of work assignments so that no worker shall be required to work in a position or location so isolated or hazardous that he is not within visual or audible signal contact with another person who can render assistance in case of emergency. In any operation where cutting, yarding, loading, or a combination of these activities are carried on there shall be a minimum crew of two (2) persons who shall work as a team, and shall be in visual or audible signal contact with one another. This does not apply to operators of motorized equipment, watchmen, or certain other jobs which, by their nature are singular workmen assignments. There shall be some method of checking-in men at the end of the shift. Each immediate supervisor shall be responsible for his crew being accounted for. This standard also includes operators of movable equipment. (3-29-17)

k. Every employer shall keep a record of all cases of injuries his employees receive at their work. This record shall be kept in such manner as to enable representatives of the Division to determine by examining the record, the injury rate of the employee force for the period covered by the report. (7-1-97)

l. Every employer shall investigate every accident resulting in a disabling injury that his employees suffer in connection with their employment. Employers shall promptly take any required action to correct the situation. Employees shall assist in the investigation by giving any information and facts they have concerning the accident. (3-29-17)

02. Management Responsibility. (7-1-97)

a. Management shall take an active and interested part in the development and guidance of the operation's safety program, including fire safety. (3-29-17)

b. Management shall apply a basic workable safety plan on the same priority as it does to any other work facet of the operation where elimination of all injuries is to be achieved in all phases of the operation. It is the duty of management to assume full and definite responsibility. To attain these safety objectives, management shall have the full cooperation of employers and the Division. (3-29-17)

c. Every employer shall furnish employment which shall be safe for the employees therein and shall furnish such devices and safeguards and shall adopt and use such practices, means, methods, operation and processes as are adequate to render such employment and places of employment safe to protect the life and safety of employees. The employer shall make available necessary personal protective safety equipment. (7-1-97)

d. Regular safety inspection of all rigging, logging, machinery, rolling stock, bridges, and other equipment shall be made as often as the character of the equipment requires. Defective equipment or unsafe conditions found shall be replaced, repaired or remedied. (7-1-97)

e. All places of employment shall be inspected by a qualified person or persons as often as the type of operation or the character of the equipment requires. Defective equipment or unsafe conditions found by these inspections shall be replaced or repaired or remedied promptly. (7-1-97)

010. EMPLOYEE'S RESPONSIBILITY.

01. General Requirements. (7-1-97)

a. Employees shall not indulge in horseplay, scuffling, practical jokes or any activity that creates or

constitutes a hazard while on the employer's property or at any time when being transported from or to work in facilities furnished by the employer. (3-29-17)

b. Employees who are assigned to, or engaged in the operation of any machinery or equipment, shall ensure that all guards, hoods, safety devices, etc., that are provided by the employer are in proper place and properly adjusted. (3-29-17)

02. Employee Accidents. Each employee shall make it his individual responsibility to keep himself, his coworkers, and his machine or equipment free from accidents to the best of his ability. (7-1-97)

03. Study Requirements. So that each worker may be better qualified to cooperate with his fellow workmen in preventing accidents, he shall study and observe these and any other safety standards governing his work. (7-1-97)

04. Employee Responsibilities. Additional responsibilities of an employee insofar as industrial safety is concerned shall be as follows: (3-29-17)

a. The employee shall report immediately, preferably in writing, to his foreman or safety committee member in his department of the plant, all known unsafe conditions and practices. (7-1-97)

b. The employee shall ascertain from the foreman where medical help may be obtained if it is needed. (7-1-97)

c. The employee shall not participate in practical jokes or horseplay. (7-1-97)

d. The employee shall make a prompt report of every accident regardless of severity to the foreman, first aid attendant, or person in charge. Such reports are required and are necessary in order that there may be a record of his injuries. (3-29-17)

e. The employee shall at all times apply the principles of accident prevention in his daily work and shall use proper safety devices and protective equipment. No employee shall remove, displace, damage, destroy, or carry off any safety device or safeguard furnished and provided for use in any employment, or interfere in any way with the use thereof by any other person, or interfere with the use of any method or process adopted for the protection of any employee in such employment, or fail or neglect to do every other thing reasonably necessary to protect the life and safety of himself and fellow employees, and by observing safe practice rules shall set a good example for his fellow workmen. (7-1-97)

f. The employee shall not report to the job impaired by intoxicants or legal or illegal drugs and shall not use intoxicants or such drugs while on the job. The employer shall prohibit any employee from working on or being in the vicinity of any job while under the influence of or impaired by intoxicants or drugs. Employers shall be responsible for the actions of any employee known to be in an intoxicated or impaired condition while on the job. (3-29-17)

g. The employee shall wear, use and properly care for personal protective safety equipment issued to him. These items shall be returned to the employer upon termination of employment. (3-29-17)

h. Workers exposed to head hazards shall wear approved head protection. (7-1-97)

i. Proper eye protection shall be worn while performing work where a known eye hazard exists. (3-29-17)

j. The employee should consider the benefits of accident prevention to himself and to his job. (3-29-17)

k. The employee should make an effort to understand his job. (3-29-17)

l. The employee should anticipate every way in which a person might be injured on the job, and

- conduct the work to avoid accidents. (7-1-97)
- m.** The employee should be on the alert constantly for any unsafe condition or practice. (3-29-17)
 - n.** The employee shall learn first aid. (3-29-17)
 - o.** The employee should keep physically fit, and obtain sufficient rest. (7-1-97)
 - p.** The employee should be certain that all instructions received are understood completely before starting the work. (3-29-17)
 - q.** The employee should actively participate in safety programs. (7-1-97)
 - r.** The employee should study the safety educational material posted on the bulletin boards and distributed by the employer or safety committee. (7-1-97)
 - s.** The employee should advise inexperienced fellow-employees of safe ways to perform their work and warn them of dangers to be guarded against. (3-29-17)
 - t.** It is the employer's responsibility to ensure compliance with the foregoing provisions. (3-29-17)
- 011. -- 999. (RESERVED)**

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