**12-179 DEPARTMENT OF LABOR**

**BUREAU OF LABOR STANDARDS**

**BOARD OF OCCUPATIONAL SAFETY AND HEALTH**

**Chapter 3: OCCUPATIONAL SAFETY AND HEALTH STANDARDS FOR CONSTRUCTION INDUSTRY EMPLOYMENT IN THE PUBLIC SECTOR**

**Summary**: The purpose of this chapter is to incorporate by reference certain rules governing Occupational Safety and Health in construction industry employment as promulgated by the Federal Occupational Safety and Health Administration at 29-CFR Part 1926 as most recently amended as of January 13, 2025.

**Incorporation by Reference**

The State Board of Occupational Safety and Health adopts the *Construction Industry Standards for Occupational Safety and Health* as promulgated by the U. S. Department of Labor, Occupational Safety and Health Administration, Title 29, *Code of Federal Regulations*, Part 1926 revised as of January 13, 2025.

**AMENDMENTS TO**

**29 CFR 1926.103 (identical to those set forth in 29 CFR 1910.134)**

Periodic medical evaluation shall be administered according to the following schedule:

Employees: Up through 35 years of age - at least every 5 years

36 to 40 years of age - at least every 2 years

Over 40 years old - at least annually

STATUTORY AUTHORITY:

26 M.R.S.A. §565

EFFECTIVE DATE:

February 14, 1989

REPEALED AND REPLACED:

January 8, 1992

AMENDED:

September 23, 1993

March 21, 1995

EFFECTIVE DATE (ELECTRONIC CONVERSION):

December 25, 1997

AMENDED:

March 20, 1997

November 4, 1997

August 11, 1998

August 25, 1998 – removal of 1(c)

October 1, 1999

August 2, 2000

March 29, 2004 – filing 2004-100

July 7, 2008 – filing 2008-281

October 11, 2010 – filing 2010-465

March 16, 2013 – filing 2013-061

September 28, 2016 – filing 2016-157, adds “Industry” to the chapter title, among other changes

December 26, 2017 – filing 2017-208

March 22, 2020 – filing 2020-056

January 29, 2023 – filing 2023-016

June 30, 2025 – filing 2025-136