(i) A performance evaluation of each State consultant performing consultation services for employers shall be prepared annually. All aspects of a consultant’s performance shall be reviewed at that time. Recommendation for remedial action shall be made and acted upon. The annual evaluation report shall be a confidential State personnel record and may be timed to coincide with regular personnel evaluations.

(ii) Performance of individual consultants shall be measured in terms of their ability to identify hazards in the workplaces which they have visited; their ability to determine employee exposure and risk, and in particular their performance under §1908.6 (e) and (f); their knowledge and application of applicable Federal or State statutes, regulations or standards; their knowledge and application of appropriate hazard correction techniques and approaches; their knowledge and application of the requirements of an effective workplace safety and health program; and their ability to communicate effectively their findings and recommendations and the reasons for them to employers, and relevant information, skills and techniques to employers and employees.

(iii) Accompanied visits to observe consultants during onsite consultative visits shall be conducted periodically in accord with a plan established in each annual Cooperative Agreement. The State may also conduct unaccompanied visits to workplaces which received onsite consultation, for the purpose of evaluating consultants. A written report of each visit shall be provided to the consultant. These visits shall be conducted only with the expressed permission of the employer who requests the onsite consultative visit.

(iv) The State will report quarterly to the RA on system operations, including copies of accompanied visit reports completed that quarter.

(v) Federal activity. State consultant performance monitoring as set out in §1908.9(b)(1) shall not preclude Federal monitoring activity by methods determined to be appropriate by the Assistant Secretary.

(c) State reporting. For Federal monitoring and evaluation purposes, the State shall compile and submit such factual and statistical data in the format and at the frequency required by the Assistant Secretary. The State shall prepare and submit to the RA any narrative reports, including copies of written reports to employers as may be required by the Assistant Secretary.

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(d) Location of sample Cooperative Agreement. A sample Agreement is available for inspection at all Regional Offices of the Occupational Safety and Health Administration of the U.S. Department of Labor.

(e) Action upon requests. The State will be notified within a reasonable period of time of any decision concerning its request for a Cooperative Agreement. If a request is denied, the State will be informed in writing of the reasons supporting the decision. If a Cooperative Agreement is negotiated, the initial finding will specify the period for the Agreement. Additional funds may be added at a later time provided the activity is satisfactorily carried out and appropriations are available. The State may also be required to amend the Agreement for continued support.

(f) Termination. Either party may terminate a Cooperative Agreement under this part upon 30 days’ written notice to the other party.

(Approved by the Office of Management and Budget under control number 1218–0110)

§ 1908.11 Exclusions.

A Cooperative Agreement under this part will not restrict in any manner the authority and responsibility of the Assistant Secretary under sections 8, 9, 10, 13, and 17 of the Act, or any corresponding State authority.

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Subpart A—General

Sec.
1910.1 Purpose and scope.
1910.2 Definitions.
1910.3 Petitions for the issuance, amendment, or repeal of a standard.
1910.4 Amendments to this part.
1910.5 Applicability of standards.
1910.6 Incorporation by reference.
1910.7 Definition and requirements for a nationally recognized testing laboratory.
1910.8 OMB control numbers under the Paperwork Reduction Act.
1910.9 Compliance duties owed to each employee.

Subpart B—Adoption and Extension of Established Federal Standards

1910.11 Scope and purpose.
1910.12 Construction work.
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1910.16 Longshoring and marine terminals.
1910.17 Effective dates.
1910.18 Changes in established Federal standards.
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Subpart C (Reserved)

Subpart D—Walking-Working Surfaces

1910.21 Definitions.
1910.22 General requirements.
1910.23 Guarding floor and wall openings and holes.
1910.24 Fixed industrial stairs.
1910.25 Portable wood ladders.
1910.26 Portable metal ladders.
1910.27 Fixed ladders.
1910.28 Safety requirements for scaffolding.
1910.29 Manually propelled mobile ladders and scaffolds.
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Subpart E—Means of Egress

1910.33 Table of contents.
1910.34 Coverage and definitions.
1910.36 Design and construction requirements for exit routes.
1910.37 Maintenance, safeguards, and operational features for exit routes.
1910.38 Emergency action plans.
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APPENDIX TO SUBPART E—EXIT ROUTES, EMERGENCY ACTION PLANS, AND FIRE PREVENTION PLANS

Subpart F—Powered Platforms, Manlifts, and Vehicle-Mounted Work Platforms

1910.66 Powered platforms for building maintenance.
1910.67 Vehicle-mounted elevating and rotating work platforms.
1910.68 Manlifts.

Subpart G—Occupational Health and Environmental Control

1910.94 Ventilation.
1910.96 Occupational noise exposure.
1910.97 Nonionizing radiation.
1910.98 Effective dates.

Subpart H—Hazardous Materials

1910.101 Compressed gases (general requirements).
1910.102 Acetylene.