§ 1910.9 Compliance duties owed to each employee.

(a) Personal protective equipment. Standards in this part requiring the employer to provide personal protective equipment (PPE), including respirators and other types of PPE, because of hazards to employees impose a separate compliance duty with respect to each employee covered by the requirement. The employer must provide PPE to each employee required to use the PPE, and each failure to provide PPE to an employee may be considered a separate violation.

(b) Training. Standards in this part requiring training on hazards and related matters, such as standards requiring that employees receive training or that the employer train employees, provide training to employees, or institute or implement a training program, impose a separate compliance duty with respect to each employee covered by the requirement. The employer must train each affected employee in the manner required by the standard, and each failure to train an employee may be considered a separate violation.

[73 FR 75583, Dec. 12, 2008]

Subpart B—Adoption and Extension of Established Federal Standards


§ 1910.12 Construction work.

(a) Standards. The standards prescribed in part 1926 of this chapter are adopted as occupational safety and health standards under section 6 of the Act and shall apply, according to the provisions thereof, to every employment and place of employment of every employee engaged in construction work. Each employer shall protect the employment and places of employment of each of his employees engaged in construction work by complying with the appropriate standards prescribed in this paragraph.

(b) Definition. For purposes of this section, construction work means work for construction, alteration, and/or repair, including painting and decorating. See discussion of these terms in §1926.13 of this title.
§ 1910.15 Shipyard employment.

(a) Adoption and extension of established safety and health standards for shipyard employment. The standards prescribed by part 1915 (formerly parts 1501–1503) of this title and in effect on April 28, 1971 (as revised), are adopted as occupational safety or health standards under section 6 of the Act and shall apply, according to the provisions thereof, to every employee engaged in ship repair, shipbreaking, and shipbuilding, or a related employment. Each employer shall protect the employment and places of employment of each of his employees engaged in ship repair, shipbreaking, and shipbuilding, or a related employment, by complying with the appropriate standards prescribed by this paragraph.

(b) Definitions. For purposes of this section:

(1) Ship repair means any repair of a vessel, including, but not restricted to, alterations, conversions, installations, cleaning, painting, and maintenance work;

(2) Shipbreaking means any breaking down of a vessel’s structure for the purpose of scrapping the vessel, including the removal of gear, equipment, or any component of a vessel;

(3) Shipbuilding means the construction of a vessel, including the installation of machinery and equipment;

(4) Related employment means any employment performed as an incident to, or in conjunction with, ship repair, shipbreaking, and shipbuilding work, including, but not restricted to, inspection, testing, and employment as a watchman; and

(5) Vessel includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water, including special purpose floating structures not primarily designed for, or used as a means of, transportation on water.

[58 FR 35308, June 30, 1993]

§ 1910.16 Longshoring and marine terminals.

(a) Safety and health standards for longshoring. (1) Part 1918 of this chapter shall apply exclusively, according to the provisions thereof, to all employment of every employee engaged in longshoring operations or related employment aboard any vessel. All cargo transfer accomplished with the use of shore-based material handling devices shall be governed by part 1917 of this chapter.

(2) Part 1910 does not apply to longshoring operations except for the following provisions:

(i) Access to employee exposure and medical records. Subpart Z, §1910.1020;

(ii) Commercial diving operations. Subpart T;

(iii) Electrical. Subpart S when shore-based electrical installations provide power for use aboard vessels;

(iv) Hazard communication. Subpart Z, §1910.1200;