

POLICY GOVERNING SAFETY INSPECTIONS OF STATE BUILDINGS

LEGAL AUTHORITY.

This policy is promulgated pursuant to the authority granted the administrator of the Division of Building Safety by Sections 67-2601A and 67-2311 through 67-2318, Idaho Code.

TITLE AND SCOPE.

This policy prescribes the criteria for enforcement of Sections, 67-2601A and 67-2311 through 67-2318, Idaho Code.

ADMINISTRATIVE APPEALS.

An administrative appeal of these policies is set forth in Sections 67-2311 through 67-18, Idaho Code.

OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The principal place of business of the Damage Prevention Board is at the Division of Building Safety office located at 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. The Damage Prevention Board may also be contacted at 1250 Ironwood Drive, Suite 220, Coeur d'Alene, Idaho 83814, and at 2055 Garrett Way, Building 1, 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>.

PUBLIC RECORDS ACT COMPLIANCE.

The policies contained herein are public records in accordance with Title 74, Chapter 1, Idaho Code.

SAFETY INSPECTIONS.

Safety Advisors. Safety advisors for the Division of Building Safety, Industrial Safety Section, shall make periodic inspections of public buildings covered by Sections 67-2311 through 67-2318, and 67-2601A, Idaho Code, and the immediate environs thereof, for the purpose of ascertaining unsafe or hazardous conditions not only to the state's employees but to inmates therein, attendants thereat, and to the general public.

Inspection Standards. Safety and occupational health inspections shall be conducted using the policies contained herein, as the primary standards as applicable; and applicable provisions, as

determined by the division, of 29 CFR 1910, Occupational Safety and Health Standards, and 29 CFR 1926, Safety and Health Regulations for Construction, with the following standards used as a basis for appraisals of other hazards: the International Building Code (IBC) as adopted by the Building Code Board, and as amended and in effect pursuant to IDAPA 07.03.01; the International Fire Code (IFC), as adopted by the Department of Insurance, and as amended and in effect pursuant to IDAPA 18.01.50; the Mechanical Codes, as adopted by the Idaho Heating, Ventilation and Air Conditioning Board, and as amended and in effect pursuant to IDAPA 07.07.01; the Idaho State Plumbing Code (IPC), as adopted by the Idaho Plumbing Board, and as amended and in effect pursuant to IDAPA 07.02.06; the National Electric Code (NEC), as adopted by the Idaho Electrical Board, and as amended and in effect pursuant to IDAPA 07.01.06; the most current edition of the Life Safety Code; the most current standards of the American National Standards Institute (ANSI); the most current standards of the National Fire Protection Association (NFPA); the most current standards of the Consumer Product Safety Commission (CPSC); the most current standards of the National Institute for Occupational Safety and Health (NIOSH); nationally recognized industry standards; and other nationally recognized standards and codes.

REQUIREMENTS.

Safe Workplace Every public employer shall furnish a place of employment free from recognized hazards which may cause serious injury or death to employees. Recognized hazards are those addressed by codes adopted by the state.

Safety Devices. Every public employer shall furnish and use appropriate safety devices and safeguards, and shall adopt and use practices, means, methods, operations, and processes which are adequate to render the place of employment safe and free of occupational health hazards.

Posted Warnings. Every public employer shall post warning signs in areas where employees are exposed to injury hazards and shall ensure that employees comply with the posted warnings.

Training and Equipment. No public employer shall require an employee to go or be in any place of employment which is unsafe unless that employee has the appropriate training, is properly equipped, and is authorized to go or be in such place.

Minimum Construction Standards. No public employer, owner, or lessee of any real property shall construct or cause to be constructed any place of employment which does not meet the minimum safety requirements identified by codes adopted by the state, or other nationally recognized codes and standards as listed in this policy. the following documents and codes, as

may be amended by the Division of Building Safety are hereby adopted and incorporated by reference for the state of Idaho and shall be in full force and effect on and after July 1, 2018:

Training.

a. It shall be the responsibility of the public employer to establish and ensure a safe and healthful working environment, and to establish an accident-prevention program and training program to improve the skill and competency of all employees in the area of safety and occupational health.

b. Such training shall include on-the-job instruction in the safe use of powered materials-handling equipment, machine tool operations, use of hazardous/toxic materials, and operation of utility systems prior to assignment to jobs involving such exposures.

ADMINISTRATION.

Annual Inspections. All safety inspections of places of public employment conducted pursuant to this policy shall be performed by personnel of the Division of Building Safety, Industrial Safety Section, on an annual basis in accordance with Section 67-2313, Idaho Code. Such inspection shall be conducted in accordance with the standards and codes set forth herein.

Public Employer Responses. An employer shall respond within twenty (20) days of receipt of any inspection report containing findings. The response shall be made to the Division of Building Safety, Industrial Safety Section, 1090 E. Watertower Street, Suite 150, Meridian, Idaho 83642. If additional time is needed to respond, the administrator is authorized to grant an extension when a written request is received from the agency.

Inapplicability of Penalties. Any provisions contained in the Occupational Safety and Health Administration regulations, including but not limited to 29 CFR 1910 and 29 CFR 1926, which relate to or provide for civil penalties shall not be enforced by the Division of Building Safety in the administration of the state's safety and occupational health program.