

Ind 6

Filed February 19, 1973

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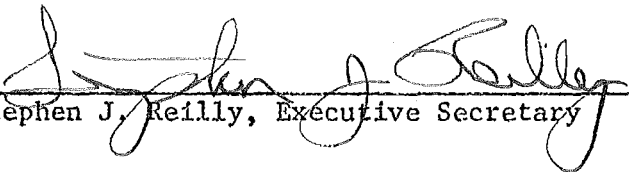
STATE OF WISCONSIN)
)
DEPARTMENT OF INDUSTRY,) SS
LABOR AND HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Stephen J. Reilly, Executive Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said Department, do hereby certify that the attached rules to Wisconsin Administrative Code Chapter Ind 6--Trench, Excavation and Tunnel, were adopted by the Department of Industry, Labor and Human Relations on February 2, 1973.

I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the Capitol, in the City of Madison, this 14 day of February, A.D., 1973


Stephen J. Reilly, Executive Secretary

ORDER OF
DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by sections 101.01 to 101.25, Wis. Stats., the Department of Industry, Labor and Human Relations hereby renumbers, creates and adopts rules of Wisconsin Administrative Code Chapter Ind 6--Trench, Excavation and Tunnel.

The rules attached hereto shall become effective on the first day of the month following publication in the Wisconsin Administrative Code as provided in section 227, Wis. Stats.

Subsection Ind 6.03(1) to be renumbered (3).

Subsection Ind 6.03(2) to be renumbered (4).

Subsection Ind 6.03(3) to be renumbered (5).

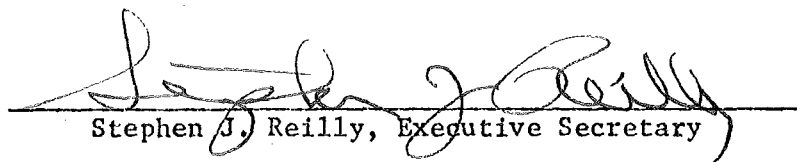
Subsections Ind 6.03(1) and (2) to be created to read:

Ind 6.03 Inspections. (1) The authorized inspectors of the department, upon presenting appropriate credentials to the owner, operator, or agent in charge, are authorized--

- (a) To enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace or environment where work is performed by an employee of an employer; and
 - (b) To inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any such employer, owner, operator, agent or employee.
- (2) The inspector before making his inspection shall contact a representative of the employer and a representative authorized by his employees who shall be given an opportunity to accompany the inspector during the physical inspection of any workplace under (1) for the purpose of aiding such inspection.
- (a) Where there is no authorized employee representative, the inspector shall consult with a reasonable number of employees concerning matters of health and safety in the workplace.

Note: The department policy is not to give advance notice, but in the scheduling and in the act of inspecting it may not always be possible to avoid advance notice or to obtain accompaniment as, for example, inside boilers or in precarious locations of elevator installations, but otherwise these rules will be diligently observed.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS


Stephen J. Reilly, Executive Secretary

February 14, 1973
Date