

## TITLE 34

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**Cross References**

This title cited in 49 Pa. Code § 7.111 (relating to application for a school license).

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#### Cross References

This part cited in 22 Pa. Code § 339.23 (relating to vocational education safety).

### CHAPTER 1. GENERAL PROVISIONS

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#### ADMINISTRATIVE PRACTICE AND PROCEDURE

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#### § 1.1. Definitions.

The following words and terms, when used in this part, have the following meanings, unless the context clearly indicates otherwise:

*Approved*—Approved by the Board.

*Board*—The Industrial Board of the Commonwealth.

*Department*—The Department of Labor and Industry of the Commonwealth.

*Establishment*—Any room, building or place within this Commonwealth where work is done for compensation, to whomever payable, supervision over which has been given by statute to the Department of Labor and Industry.

*Secretary*—The Secretary of the Department of Labor and Industry.

**§ 1.2. Procedure for amending this part.**

In order to amend the provisions of this part, the following procedure shall be followed:

(1) An employer, employee or other person interested or affected by the provisions of this part may petition for a hearing on the reasonableness of the provisions by filing a petition with the Board through its Secretary at Harrisburg, setting forth the provisions of Part I upon which a change is desired and the reasons for such change.

(2) Upon receipt of a petition the Board will determine its merits and if a hearing is necessary, notice of time and place of such hearing will be given to the petitioner and to such other persons as the Board may find directly interested.

**§ 1.3. Scope.**

In addition to the provisions of this part, the Department will apply in all matters not specifically covered by this part all other regulations which involve the lives, limbs and health of workers.

**§ 1.4. Administration.**

Except where not applicable, or unless otherwise provided, the following apply to establishments within this Commonwealth which are subject to this part:

(1) A person may not remove or make ineffective a safeguard, safety appliance, sanitary facility or a device attached to machinery or guarding a hazardous condition except for the purpose of immediately oiling or making repairs, renewals, adjustments, inspections or as otherwise provided for in this part. A person who removes or makes ineffective a safeguard, safety appliance, sanitary facility or device for oiling, repairs, renewals, adjustments or inspections shall replace it immediately upon the completion of the oiling, repairs, renewals, adjustments or inspections.

(2) An employer or person exercising direction or control over a person who removes the safeguard, safety appliance, sanitary facility or a device, or over a person for whose protection it is designed, shall have the safeguard, safety appliance, sanitary facility or device so removed, promptly and properly replaced.

(3) An employee shall use safeguards, safety appliances, facilities or devices furnished for his protection and shall comply with this part which may concern or affect their conduct.

**ADMINISTRATIVE PRACTICE AND PROCEDURE**

**§ 1.11. Applicability of general rules.**

Under 1 Pa. Code § 31.1 (relating to scope of part), 1 Pa. Code Part II (relating to general rules of administrative practice and procedure) is applicable to the activities of and proceedings before the Department.

**Source**

The provisions of this § 1.11 adopted April 11, 1975, 5 Pa.B. 899.

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