

Ind 11

Filed July 26, 1972
2:15 P.M.

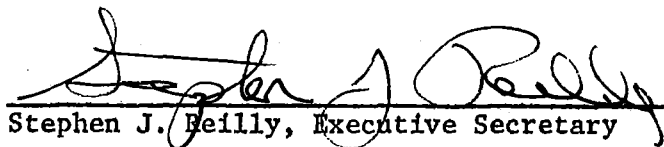
STATE OF WISCONSIN)
) SS
DEPARTMENT OF INDUSTRY,)
LABOR AND HUMAN RELATIONS)

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 11, Occupational Noise Exposure, were adopted by the Department of Industry, Labor and Human Relations on July 25, 1972.

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 25 day of July, A.D., 1972


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 creates, amends and adopts rules of Wisconsin Administrative Code Chapter Ind 11, Occupational Noise Exposure.

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 11.02 (11) is amended to read:

(11) SUPERVISING PHYSICIAN. A medically trained person usually an ear specialist or general physician possessing specialized knowledge and experience enabling him to administer a functional hearing conservation program.

Subsection Ind 11.08 (2) Note is created to read:

Note: When ear protection is required it should be worn during the entire period of noise exposure.

Subsection Ind 11.10 (1) (a) is created to read:

(a) The hearing acuity of temporary employes (workers employed for not more than 18 consecutive weeks in a calendar year) exposed to noise greater than permissible (see Table 1) need not be determined provided the employer complies with the provisions of sections Ind 11.07, Ind 11.08, and Ind 11.09.

Subsection Ind 11.12 (2) Note is created to read:

Note: See Appendix A for explanatory intents of this rule.

Appendix A is created to read:

A-11.12 (2) The following listed items indicate the intent of this rule:

1. Each audiogram is to be signed by the audiometric technician who performed the hearing test.
2. Audiometric personnel performing a hearing test are to work within specified limits established by the supervising physician.
3. Audiograms demonstrating a significant hearing loss, which require determination of causal relationship of the hearing loss, are to be made by a physician.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS


Stephen J. Reilly, Executive Secretary

July 25, 1972

Date

DEPARTMENTAL CORRESPONDENCE

To Industry, Labor and Human
Relations-- Mr. Olson

From Dorothy A. Heil
Asst. Rev. of Stats.

Subject OCCUPATIONAL NOISE EXPOSURE

Date July 27, 1972

We have published the amendments to the above code as filed. However, we question whether the language of section A-11.12(2) as filed may not be ambiguous.

Certain requirements are set out in A 11.12(2) (to be published in an Appendix), as indicating the intent of a rule, and reference is made in the rule, Ind 11.12(2), NOTE.

Ordinarily the appendix contains recommendations and explanations rather than mandatory requirements.



State of Wisconsin \ DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

July 31, 1972

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EXECUTIVE SECRETARY

Miss Dorothy A. Heil
Assistant Revisor of Statutes
Statutory Revision Bureau
411 West, State Capitol
Madison, Wisconsin 53702

Dear Miss Heil:

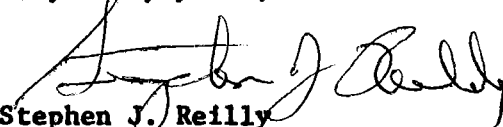
In response to your departmental correspondence of July 27, 1972, in regard to the amendments to Wisconsin Administrative Code Chapter Ind 11, Occupational Noise Exposure, adopted by the Department of Industry, Labor and Human Relations on July 25, 1972, we wish to amend Appendix A which is referred to in subsection Ind 11.12 (2) NOTE.

Since it was our intent that Appendix A contain recommendations and explanations of said rule we wish to restate Appendix A to read as follows:

A-11.12 (2) It is recommended that:

1. Each audiogram be signed by the audiometric technician who performed the hearing test.
2. Audiometric personnel performing a hearing test work within specified limits established by the supervising physician.
3. Audiograms demonstrating a significant hearing loss, which require determination of causal relationship of the hearing loss, be made by a physician.

Very truly yours,


Stephen J. Reilly
Executive Secretary

cc: Secretary of State