

The Vermont Statutes Online

The Statutes below include the actions of the 2025 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 21 : Labor

Chapter 003 : Safety

Subchapter 005 : OCCUPATIONAL SAFETY AND HEALTH

(Cite as: 21 V.S.A. § 224)

§ 224. Rules and standards

(a) The Commissioner shall adopt rules and standards necessary to implement the purposes and duties set forth in this subchapter insofar as they relate to safety and to enforcement of the VOSHA Code.

(b) The Commissioner, in consultation with the Secretary of Human Services, shall adopt rules and standards necessary to implement the purposes of the VOSHA Code and duties imposed by the Code, insofar as they relate to health.

(c) Any standard adopted under this section shall prescribe the use of labels or other appropriate forms of warning as are necessary to inform employees of all safety or health hazards to which they are exposed, relevant symptoms and appropriate emergency treatment, and proper conditions and precautions for safe use or exposure. Where appropriate, a rule shall prescribe suitable protective clothing, devices, or equipment that shall be provided by the employer, and control or technological procedures to be used in connection with the safety or health hazard; and shall provide for monitoring or measuring employee exposure at such locations and intervals and in such manner as may be necessary for the protection of employees.

(d) Where appropriate, a standard adopted in consultation with the Secretary of Human Services may prescribe the type and frequency of medical examinations or other tests that shall be made available by an employer or at the expense of the employer, to employees exposed to health hazards in employment, in order to effectively determine whether the health of the employee is adversely affected by exposure to the hazard. In the event medical examinations are in the nature of research, as determined by the Secretary of Human Services, the examinations may be furnished at the expense of the State. The results of the examinations or tests shall be furnished only to the Secretary of Human

Services, the Commissioner of Health, the Director of Occupational Health, the Commissioner of Labor, and at the request of the employee, to the employee's physician and the employee.

(e) The Commissioner, in consultation with the Secretary, in adopting standards dealing with toxic materials or harmful physical agents under this section, shall set the standard that most adequately ensures, to the extent feasible, on the basis of the best available evidence, that no employee will suffer material impairment of health or functional capacity even if the employee has regular exposure to the hazard dealt with by the standard for the period of the employee's working life. Development of standards under this subsection shall be based upon research, demonstrations, experiments, and such other information as may be appropriate. In addition to the attainment of the highest degree of safety and health protection for the employee, other considerations shall be the latest available scientific data in the field, the feasibility of the standards, and experience gained under this and other safety and health laws. Whenever practicable, the standard adopted shall be expressed in terms of objective criteria and of the performance desired. (Added 1971, No. 205 (Adj. Sess.), § 1; amended 1973, No. 214 (Adj. Sess.), § 18; 2005, No. 103 (Adj. Sess.), § 3, eff. April 5, 2006; 2015, No. 23, § 119; 2015, No. 87 (Adj. Sess.), § 2; 2015, No. 97 (Adj. Sess.), § 54; 2023, No. 85 (Adj. Sess.), § 70, eff. July 1, 2024.)