



## Ohio Administrative Code Rule 4123:1-3-01 Scope and definitions.

Effective: June 30, 2025

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### (A) Scope.

The purpose of this chapter of the Administrative Code is to provide safety for life, limb and health of employees engaged in construction activity.

Activities within the scope of this chapter, generally referred to herein as "construction", include: the demolition, dismantling, excavation, construction, erection, alteration, repair, painting, decorating, glazing, cleaning, and pointing of buildings and other structures and the installation of machinery or equipment and all operations in connection therewith; the excavation, construction, alteration and repair of subways, sewers, tunnels, trenches, caissons, conduits, pipelines, roads, and all operations pertaining thereto; the moving of buildings, signs, and other structures; and to the construction, alteration, repair, or removal of wharfs, piers, abutments, or any other construction, alteration, repair, or removal work carried on, in, about, or over water.

This chapter covers construction activities of employees whose employer engages in such work as its principal business. This chapter also covers employees of other employers when the activities are performed in the course of new construction or substantial reconstruction of all or part of an existing structure, as well as substantial demolition or razing of an existing structure. This chapter does not cover employees of employers when the activities are performed in the ordinary course of maintenance work.

This chapter shall not apply to the electric utility industry, contractors, and subcontractors when engaged in the installation and maintenance of electric supply lines or the transmission and distribution of electric power in such lines between the outlet of the generating station and the outlet side of the meter through which such power is measured to a retail customer.

Installations, construction equipment, or constructions built or contracted for prior to the effective date of any specific requirement shall be deemed to comply with the provisions of this chapter, if



such installations or constructions comply either with the provisions of this chapter or with the provisions of any applicable chapter which was in effect prior to said date.

(B) Definitions.

(1) "Air contaminants" means concentrations of dust, mist, fume, gas, or vapor, or any combination thereof when suspended in the atmosphere.

(2) "Approved" means accepted or certified by a nationally recognized testing laboratory, such as "UL Solutions," "FM Approvals," or a responsible government agency.

(3) "Danger zone" means the point of operation where a known hazard exists.

(4) "Department, division, section, or group" means a number of employees that are a separate part or branch of a government, business, school, or other organization, classified together because of a common characteristic or function.

(5) "Equipment" means and includes all machinery, tools, mechanical devices, derricks, hoists, conveyors, scaffolds, platforms, runways, ladders, and related safeguards and protective construction used in connection with construction operations.

(6) "Equivalent" means alternative designs, materials, or methods to protect against a hazard which the employer can demonstrate will provide an equal or greater degree of safety for employees than the design, materials, or methods specified in the standard.

(7) "Exposed to contact" means that the location of the material or object during the course of operation is accessible to the employee in performance of his regular or assigned duty.

(8) "Factor of safety" means the ratio between the ultimate breaking strength and the working stress of the material, structure or device. For example, the term "factor of safety of four" means the materials, structure or device is constructed of such strength that the maximum load will be one-fourth the designed ultimate breaking load. Where other factors of safety appear they will apply in the same manner. The standards of the "American Society for Testing and Materials" will be used in



determining the strength of material except as otherwise provided herein.

(9) "Fire-resistant" means material or construction which resists failure because of high temperatures and which prevents or retards the passage of high temperatures, hot gases, or flames.

(10) "Ground connection" means the equipment used in establishing a path between an electric circuit or equipment and earth. A ground connection consists of a ground conductor, a ground electrode, and the earth which surrounds the electrode.

(11) "Grounded" means connected to the earth or to some conducting body that serves in place of the earth.

(12) "Grounded effectively" means permanently connected to earth through a ground connection or connections of sufficiently low impedance and having sufficient current-carrying capacity to prevent the building up of voltages which may result in undue hazard to connected equipment or to employees.

(13) "Guard" means the covering, fencing, railing, or enclosure which shields an object from accidental contact.

(14) "Guarded" means that the object is covered, fenced, railed or otherwise shielded from accidental contact.

(15) "Hazardous concentrations," as applied to air contaminants, means concentrations of air contaminants which are in excess of established occupational exposure limits.

(16) "Lanyard" means a flexible line of rope, wire rope, or strap which generally has a connector at each end for connecting the body belt or body harness to a life line or anchorage, or for a body harness, to a deceleration device.

(17) "Operator" means any employee assigned to work at the specific equipment.

(18) "Personal fall arrest system" means a system used to arrest an employee in a fall from a walking



or working surface. It consists of a safety harness as defined in rule 4123:1-3-03 of the Administrative Code, anchorage, and connector. The means of connection may include a lanyard, deceleration device, lifeline, or suitable combination of these.

(19) "Pinch point" or "shear point" means any point at which it is possible to be caught between the moving parts of a machine, or between the moving and stationary parts of a machine, or between the material and the moving parts of a machine.

(20) "Point of operation" means the point at which material is placed in or removed from the machine.

(21) "Protective equipment" means any appliance used or required to be used to prevent injury to employees.

(22) "Provide" means to make available.

(23) "Rope, wire (haulage)" means wire rope which is to be used only on inclined planes, for dragging objects along the ground, and only where the rope is not subjected to repeated bending.

(24) "Rope, wire (hoisting)" means wire rope to be used on cranes, derricks, dredges, draglines and power shovels in lifting operations.

(25) "Securely fastened" means that the object referred to shall be substantially fixed in place.

(26) "Shall" shall be construed as mandatory.

(27) "Standard guardrail" means a substantial barrier, constructed in accordance with paragraph (E) of rule 4123:1-3-04 of the Administrative Code.

(a) "Top rail" means the top lateral member of a standard guardrail.

(b) "Intermediate rail" means the lateral member or members of a standard guardrail, installed at intervals of no more than twenty-one inches (53.3 centimeters).



(28) "Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

(29) "Substantial" means construction of such strength, of such materials, and of such workmanship that the object will withstand the wear, usage, or shock for which it is designed.

(30) "Toeboard" means a vertical barrier erected along the exposed edges of a floor opening, platform, runway, ramp, or scaffold to prevent falls of material.

(31) "Walkway" means a cleared passageway for ingress and egress for employees between two given points.

(32) "Wall opening" means an opening no less than eighteen inches (45.7 centimeters) in its horizontal dimension in any wall, where the outside bottom edge of the wall opening is six feet (1.8 meters) or more above lower levels and the inside bottom edge of the wall opening is less than thirty-nine inches (one meter) above the walking or working surface.