

*****DRAFT - NOT FOR FILING*****

4101:9-2-16 Forest fire fighting, forest fire prevention, logging, and sawmilling occupations.

(A) All occupations in logging, ~~and~~ all occupations in forest fire fighting and forest fire prevention, and all occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill are prohibited for minors under eighteen years of age, except the following:

(1) Exceptions applying to logging:

(a) Work in offices or in repair or ~~f~~ maintenance shops.

(b) Work in the construction, operation, repair, or maintenance of living and administrative quarters of logging camps.

(c) Work in timber cruising, surveying, or logging-engineering parties; ~~work in the repair or maintenance of roads, railroads, or flumes; work in forest protection, such as clearing fire trails or roads, piling and burning slash, maintaining fire-fighting equipment, constructing and maintaining telephone lines, provided that such work is not performed in conjunction with, or in support of, efforts to extinguish a forest fire, or acting as fire lookout or fire patrolman away from the actual logging operations;~~ and further provided, that the provisions of this paragraph shall not apply to the felling or bucking of timber, the collecting or transporting of logs, the operation of power-driven machinery, the handling or use of explosives, and work on trestles.

(d) Peeling of fence posts, pulpwood, chemical wood, excelsior wood, cordwood, or similar products when not done in conjunction with and at the same time and place as other logging occupations declared hazardous by this rule.

(e) Work in the feeding or care of animals.

(2) Exceptions applying to the operation of any permanent sawmill or the operation of any lath mill, shingle mill, or cooperage-stock mill; provided, that these exceptions do not apply to a portable sawmill the lumber yard of which is used only for the temporary storage of green lumber and in connection with which no office or repair or maintenance shop is ordinarily maintained and further provided, that these exceptions do not apply to work ~~which~~ that entails entering the sawmill building:

(a) Work in offices or in repair or maintenance shops;

(b) Straightening, marketing, or tallying lumber on the dry chain or the dry drop sorter;

(c) Pulling lumber from the dry chain;

(d) Cleanup in the lumberyard;

(e) Piling, handling, or shipping of cooperage stock in yards or storage sheds, other than operating or assisting in the operation of power-driven equipment;

(f) Clerical work in yards or shipping sheds, such as done by ordermen, tallymen, and shipping clerks;

(g) Cleanup work outside shake and shingle mills, except when the mill is in operation;

(h) Splitting shakes manually from pre-cut and split blocks with a froe and mallet, except inside the mill building or cover;

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- (i) Packing shakes into bundles when done in conjunction with splitting shakes manually with a froe and mallet, except inside the mill building or cover;
- (j) Manual loading of bundles of shingles or shakes into trucks or railroad cars, provided that the employer has on file a statement from a licensed doctor of medicine or osteopathy certifying the minor capable of performing this work without injury to himself.

(B) Definitions:

- (1) The term "all occupations in logging" shall mean all work performed in connection with the felling of timber; the bucking or converting of timber into logs, poles, piles, ties, bolts, pulpwood, chemical wood, excelsior wood, cordwood, fence posts, or similar products; the collecting, skidding, yarding, loading, transporting, and unloading of such products in connection with logging; the constructing, repairing, and maintaining of roads, railroads, flumes, or camps used in connection with logging; the moving, installing, rigging, and maintenance of machinery or equipment used in logging; and other work performed in connection with logging. The term shall not apply to work performed in timber culture, timber stand improvement, or in emergency firefighting.
- (2) The term "all occupations in the operation of any sawmill, lath mill, shingle mill, or cooperage stock mill" shall mean all work performed in or about any such mill in connection with the storing of logs and bolts; converting logs or bolts into sawn lumber, laths, shingles, or cooperage stock, or other products of such mills; and other work performed in connection with the operation of any sawmill, lath mill, shingle mill, or cooperage-stock mill. The term shall not include work performed in the planing-mill department or other remanufacturing departments of any sawmill, or in any planing-mill or remanufacturing plant not a part of a sawmill.
- (3) The term "all occupations in forest fire fighting and forest fire prevention" shall include the controlling and extinguishing of fires, the wetting down of areas or extinguishing of spot fires, and the patrolling of burned areas to assure the fire has been extinguished. The term shall also include the following tasks when performed in conjunction with, or in support of, efforts to extinguish a forest fire: the piling and burning of slash; the clearing of fire trails or roads; the construction, maintenance, and patrolling of fire lines; acting as a fire lookout or fire patrolman; and the maintaining of fire fighting equipment. The prohibition concerning the employment of youth in forest fire fighting and fire prevention applies to all forest and timber tract locations, logging operations, and sawmill operations, including all buildings located within such areas.