

**5210.0005 DEFINITIONS.**

Subpart 1. **Scope.** For the purposes of this chapter, the following terms have the meanings given them.

Subp. 2. **Act.** "Act" means the Minnesota Occupational Safety and Health Act of 1973, Minnesota Statutes, chapter 182.

Subp. 3. **Administrative law judge.** "Administrative law judge" means a person assigned by the chief administrative law judge under Minnesota Statutes, section 14.50, to hear a contested case.

Subp. 4. **Affected employee.** "Affected employee" has the meaning given it in Minnesota Statutes, section 182.651.

Subp. 5. **Authorized employee representative.** "Authorized employee representative" has the meaning given it in Minnesota Statutes, section 182.651.

Subp. 6. **Board.** "Board" means the Occupational Safety and Health Review Board established pursuant to Minnesota Statutes, section 182.664.

Subp. 7. **Citation and notification of penalty.** "Citation and notification of penalty" means the citation and notification of penalty form prescribed by the commissioner and issued to the employer under Minnesota Statutes, sections 182.66 and 182.661, subdivision 1.

Subp. 8. **Commissioner.** "Commissioner" has the meaning given it in Minnesota Statutes, section 182.651.

Subp. 9. **Days.** "Days" means calendar days unless otherwise provided.

Subp. 10. **Employee.** "Employee" has the meaning given it in Minnesota Statutes, section 182.651.

Subp. 11. **Employer.** "Employer" has the meaning given it in Minnesota Statutes, section 182.651.

Subp. 12. **Investigation or inspection.** "Investigation" or "inspection" means the actions taken by the commissioner, including examination, observation, inquiry, and analysis, to determine whether violations of the act or of standards, rules, or orders adopted by the commissioner under the authority of the act, exist at a place of employment and includes, but is not limited to, the physical inspection of the place of employment.

Subp. 13. **Investigator.** "Investigator" means an occupational safety and health investigator or investigators authorized by the commissioner of labor and industry to conduct occupational safety and health investigations under Minnesota Statutes, chapter 182.

Subp. 14. **Letter of contest.** "Letter of contest" means a written communication filed with the commissioner by an employee or authorized employee representative contesting the citation and notification of penalty or the notification of failure to abate.

Subp. 15. **Notice of contest.** "Notice of contest" means the notice of contest and service to affected employees form prescribed by the commissioner under part 5210.0533.

Subp. 16. **Notification of failure to abate.** "Notification of failure to abate" means the notification of failure to abate and proposed additional penalty form prescribed by the commissioner and issued to the employer under Minnesota Statutes, section 182.661, subdivision 2.

Subp. 17. **Person.** "Person" has the meaning given it in Minnesota Statutes, section 182.651.

Subp. 18. **Proceeding.** "Proceeding" means any proceeding before the board or before an administrative law judge.

Subp. 19. **Respondent.** "Respondent" has the meaning given it in Minnesota Statutes, section 182.651.

**Statutory Authority:** *MS s 182.657*

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