

EXECUTIVE ORDERS

(b) Type "C" pressure demand supplied air respirators with full facepieces approved by the Mine Safety and Health Administration and the National Institute for Occupational Safety and Health described in the Asbestos Safety and Health Program Policy and Procedures Manual shall be used by employees performing Level II type activities.

(3) The Secretary of Licensing and Regulation is responsible for coordinating the safety and equipment provisions of this section, and exceptions to any provisions of this section can be authorized only by the Secretary of Licensing and Regulation or his designee, or by the full committee.

D. Medical Monitoring and Training Program.

(1) Medical Monitory Requirements.

(a) The Secretary of the Department of the Environment shall oversee the preplacement, periodic and post-employment examinations in accordance with the Asbestos Safety and Health Program for Level II employees described in Section D(2)(c) of this Executive Order.

(b) Participation in the Medical Monitoring Program.

(i) Employees agreeing to work in positions which involve incidental exposure to asbestos, after successfully completing a formal asbestos training program, must participate in the medical monitoring program.

(ii) An employee who participates in the medical monitoring program, but refuses any or all components of the examination, shall be advised that the refusal may compromise his health status.

(iii) If an employee refuses to work with asbestos, he or she will not be eligible for medical monitoring, except as provided in subsection (1)(e) of this section. The refusal shall be documented.

(c) Discrimination Involving Medical Examination. Any employee found to be unable to wear a respirator, or who is otherwise unfit for potential asbestos exposure, may not be permitted to work with asbestos. The employee may not be subjected to adverse personnel action because of his or her inability to be exposed to asbestos.

(d) Partial Disability Involving Asbestos-Related Disease. If an employee's disability is detected during asbestos medical monitoring, reasonable accommodations shall be made for the employee so far as is practicable up to and including job transfers.