

### **88.3 Definitions.**

Wherever used in this chapter, unless the context clearly requires a different meaning:

1. "*Appeal board*" means the employment appeal board created under section 10A.601.
2. "*Commissioner*" means the labor commissioner appointed pursuant to section 91.2, or the commissioner's designee.
3. "*Emergency temporary standards*" means any occupational safety and health standard or modification thereof which has been adopted and promulgated by a nationally recognized standards-producing organization under procedures whereby it can be determined by the commissioner that persons interested and affected by the scope or provisions of the standard have reached substantial agreement on its adoption, and was formulated in a manner which afforded an opportunity for diverse views to be considered or is an emergency temporary standard provided by the secretary pursuant to and in conformance with the provisions of the federal law.
4. "*Employee*" means an employee of an employer who is employed in a business of the employer. "*Employee*" also means an inmate as defined in section 85.59, when the inmate works in connection with the maintenance of the institution, in an industry maintained in the institution, or while otherwise on detail to perform services for pay. "*Employee*" also means a volunteer involved in responses to hazardous waste incidences. The employer of a volunteer is that entity which provides or which is required to provide workers' compensation coverage for the volunteer.
5. "*Employer*" means a person engaged in a business who has one or more employees and also includes the state of Iowa, its various departments and agencies, and any political subdivision of the state.
6. "*Federal law*" means the Act of Congress approved December 29, 1970, 84 Stat. 1590, officially cited as the "Occupational Safety and Health Act of 1970 (29 U.S.C. 651678)."
7. "*Imminent danger*" means a condition or practice in any place of employment which is such that a danger exists which will reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures of this chapter, exclusive of the procedures set forth in section 88.11.
8. "*Occupational safety and health standard*" means a standard which requires conditions or the adoption or use of one or more practices, means, methods, operations, or processes, reasonably necessary or appropriate to provide safe or healthful employment and places of employment.
9. "*Person*" means one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.
10. "*Secretary*" means the secretary of labor of the United States.

[C66, 71, § 88A.2; C73, 75, 77, 79, 81, § 88.3]

86 Acts, ch 1245, § 520; 90 Acts, ch 1136, § 1; 99 Acts, ch 68, §2; 2001 Acts, ch 24, §24