

**Sec. 31-372-12. Limitations, variations, tolerances or exemptions**

(a) **Application.** Any person or class of persons desiring a limitation, variation, tolerance or exemption authorized by Section 31-372 of the Connecticut Occupational Safety and Health Act as he may find necessary and proper to avoid serious impairment of the national defense may file an application containing the information specified below.

(b) **Contents.**

- (1) The name and address of the applicant;
- (2) The address of the place or places of employment involved;
- (3) A specification of the provision of the Act to or from which the applicant seeks a limitation, variation, tolerance or exemption.
- (4) A representation showing that the limitation, variation, tolerance or exemption sought is necessary and proper to avoid serious impairment of the national defense;
- (5) Any request for a hearing as provided in this part; and
- (6) A description of how employees have been informed of the application and of their right to petition the Commissioner for a hearing.

(c) **Interim order.**

(1) An application may also be made for an interim order to be effective until a decision is rendered on the application for the limitation, variation, tolerance or exemption filed previously or concurrently. An application for an interim order may include statements of fact and arguments as to why the order should be granted. The Commissioner may rule ex parte upon the application.

(2) Notice of denial of application. If an application filed, pursuant to an application for an interim order is denied, the applicant shall be given prompt notice of the denial, which shall include, or be accompanied, by a brief statement of the grounds therefor.

(3) Notice of grant of an interim order. If the interim order is granted, a copy of the order shall be served upon the applicant for the order and other parties and the terms of the order shall be published in the Connecticut Law Journal. It shall be a condition of the order that the affected employer shall give notice thereof to the affected employees by the same means to be used to inform them of an application of variance.

(Effective September 11, 1974)