



HO-CHUNK NATION CODE (HCC)
TITLE 6 – PERSONNEL, EMPLOYMENT AND LABOR CODE
SECTION 8 – OCCUPATIONAL SAFETY AND HEALTH
PROGRAM ACT OF 2002
SUBSECTION 5 – LOCK-OUT/TAG-OUT

ENACTED BY LEGISLATURE: MAY 20, 2002

CITE AS: 6 HCC § 8-5

1. **Authority.** See basic document (Occupational Safety and Health Program Act).
2. **Purpose.** This subsection of the Occupational Safety and Health Program Act provides for the minimum requirements for lock-out and/or tag-out of energy isolating devices whenever maintenance or servicing is done on machines or equipment. It is used to ensure that the machine or equipment is stopped, isolated from all potentially hazardous energy sources and locked out before employees perform any servicing or maintenance where the unexpected energization or start-up of the machine or equipment or release of stored energy could cause injury. This subsection applies to all work operations at the Ho-Chunk Nation where employees must deal with lock-out/tag-out situations as part of their job duties.
3. **Definitions.** See basic document (Occupational Safety and Health Program Act). In addition, the following definitions apply to this subsection.
 - a. “Affected Employee” means an employee whose job requires him/her to operate or use a machine or equipment on which servicing or maintenance is being performed under lock-out or tag-out, or whose job requires him/her to work in an area in which such servicing or maintenance is being performed.
 - b. “Authorized Employee” is an employee who locks-out or tags-out machines or equipment in order to perform servicing or maintenance on that machine or equipment. An affected employee becomes an authorized employee when that employee’s duties include performing servicing or maintenance covered under this subsection.
 - c. “Capable of Being Locked-Out” means an energy-isolating device has a hasp or other means of attachment to which, or through which, a lock can be affixed, or it has a locking mechanism built into it. Other energy-isolating devices are capable of being locked-out, if lock-out can be achieved without the need to dismantle, rebuild, or replace the energy-isolating device or permanently alter its energy control capability.
 - d. “Energized” means connected to an energy source or containing residual or stored energy.

e. “Energy Isolating Device” means a mechanical device that physically prevents the transmission or release of energy, including but not limited to the following: a manually operated electrical circuit breaker; a disconnect switch; a manually operated switch by which the conductors of a circuit can be disconnected from all ungrounded supply conductors, and, in addition, no pole can be operated independently; a line valve; a block; and any similar device used to block or isolate energy. Push buttons, selector switches and other control circuit type devices are not energy isolating devices.

f. “Energy Source” means any source of electrical, mechanical, hydraulic, pneumatic, chemical, thermal, or other energy.

g. “Lock-out” means the placement of a lock-out device on an energy-isolating device, in accordance with an established procedure, ensuring that the energy-isolating device and the equipment being controlled cannot be operated until the lock-out device is removed.

h. “Lock-out Device” means a device that utilizes a positive means such as a lock, either key or combination type, to hold an energy-isolating device in a safe position and prevent the energizing of a machine or equipment. Included are blank flanges and bolted slip blinds.

i. “LOTO” means lock-out/tag-out.

j. “Tag-out” means the placement of a tag-out device on an energy-isolating device, in accordance with an established procedure, to indicate that the energy-isolating device and the equipment being controlled may not be operated until the tag-out device is removed.

k. “Tag-out Device” means a prominent warning device, such as a tag and a means of attachment, that can be securely fastened to an energy-isolating device in accordance with an established procedure to indicate that the energy-isolating device and the equipment being controlled may not be operated until the tag-out device is removed.

l. “Zero-Energy State” means a condition that is reached when all energy sources to or within equipment are isolated, blocked, or otherwise relieved, with no possibility of re-accumulation. Equipment is not safe to work on until it is a zero-energy state.

4. Training Requirements. All employees authorized to perform servicing and maintenance, those affected employees operating equipment, machines, or systems on which servicing and maintenance is performed, and other employees entering work areas where servicing and maintenance is performed, must understand the purpose and function of the lock-out/tag-out program.

a. Authorized Employees.

(1) Authorized employees must receive initial training and special instructions concerning the scope, purpose, authorization, rules and techniques for lock-out/tag-out of hazardous energy sources including, but not limited to:

- (a) Recognition of the types of hazardous energy sources.
- (b) Intended use of the lock-out/tag-out procedure.
- (c) Steps for shutting down, neutralizing, isolating, holding and securing.
- (d) Steps for placement, removal and transfer of lock-out/tag-out devices and the associated responsibility.
- (e) Requirements for testing to determine and verify the effectiveness of lock-out/tag-out devices.
- (f) Other appropriate measures necessary to protect employees from hazardous energy.

(2) A training roster/checklist has been provided at Figure A-2 for this level of training.

b. Affected Employees.

(1) All affected employees operating equipment, machines, or systems on which servicing and maintenance is performed must receive initial lock-out/tag-out training which includes, but is not limited to:

- (a) Intended use of the lock-out/tag-out procedure.
- (b) Steps for shutting down, neutralizing, isolating, holding and securing.
- (c) Steps for placement, removal and transfer of lock-out/tag-out devices and the associated responsibility.
- (d) Requirements for testing to determine and verify the effectiveness of lock-out/tag-out devices.
- (e) Other appropriate measures necessary to protect employees from hazardous energy.

NOTE: The extent of the training for affected employees can be less than that of authorized employees, provided they understand the overall lock-out/tag-out procedure.

(3) A training roster/checklist has been provided at Figure A-3 for this level of training.

c. Other Employees. Other employees entering work areas where servicing and maintenance is performed, must be trained concerning the purpose of the lock-out/tag-out procedure, and how to recognize lock-out/tag-out jobs so they can avoid hazards to themselves and those performing the job using lock-out/tag-out. A training roster/checklist has been provided at Figure A-3 for this level of training.

NOTE: The training for other employees may be less than that for affected employees, provided they understand the purpose of the procedure.

d. New or Transferred Employees. Each new or transferred employee (authorized, affected, and others) shall be instructed in the purpose and use of the lock-out/tag-out procedure, as it pertains to them, before they begin their initial assignment.

e. Employee Retraining. Retraining is required for all authorized and affected employees whenever there is a change in job assignment, a change in machines or equipment that presents a new hazard, or when there is a change in the energy control procedure.

5. Exclusions. LOTO procedures do not apply under the following conditions:

a. Minor tool changes and adjustments and other minor servicing activities that take place during normal operations if they are routine, repetitive, and integral to the use of the equipment, provided that the work is performed using alternative measures that provide effective protection.

b. Work on cord and plug-connected electrical equipment, if unplugging the equipment controls all the energy, and the plug remains under the continuous control of the employee performing the servicing, maintenance, or modification.

c. Electrical systems less than 50 volts to ground that do not increase exposure to electrical burns or to explosion due to electrical arcs.

6. Responsibilities.

a. All Employees.

- (1) Understand the general reasons for LOTO.
- (2) Recognize when LOTO is being used.
- (3) Understand the importance of not tampering with or removing a lock and/or tag.

b. Authorized Employees.

- (1) Attend LOTO training.
- (2) Recognize the conditions of work that require LOTO.
- (3) Use the materials and procedures specified to implement the LOTO program.

c. Managers and Supervisors.

- (1) Attend LOTO training.
- (2) Provide authorization for employees, and maintain records of authorized employees.
- (3) Ensure that authorized employees have attended LOTO training. Provide additional on-the-job training if the employee is not thoroughly familiar with the equipment and/or written procedures.
- (4) Provide required LOTO equipment to employees, and ensure that they use it.
- (5) Control emergency keys for LOTO locks.
- (6) Remove LOTO devices in case of emergency.
- (7) Generate and maintain equipment-specific written procedures, where required, and identify the equipment.
- (8) Maintain records of LOTO events.

7. Lock-out/Tag-out Equipment. The supervisor/manager whose employees perform LOTO is responsible for providing LOTO equipment to those employees, and ensuring that they properly use it.

a. Padlocks. Padlocks shall be identified as being used for LOTO. Each padlock shall be identified with the authorized employee's name and department. A supervisor/manager may elect to utilize a checkout system that permits authorized employees to borrow locks from a common local supply. In such cases, the authorized employee checking out a lock must label it with his/her name.

b. Keys. Each LOTO padlock is required to have two keys, primary and emergency. The primary key must be in the possession of the authorized employee who applied the lock. The emergency key must be kept in a secured area (e.g., a lock box) with access limited to the authorized employee's immediate supervisor/manager and one level of management above the authorized employee's manager. A group of locks with a common key may be used for equipment with multiple energy-isolation devices, if desired. If a group of locks is keyed alike for this purpose, one key only may be issued for use by the authorized employee and a second key may be kept for emergency use.

c. Tags. Tags must clearly identify the employee who applies them. Tags must also warn against hazardous conditions if the machine or equipment is energized and must include a legend such as any of the following: DO NOT START, DO NOT OPEN, DO NOT CLOSE, DO NOT ENERGIZE, DO NOT OPERATE.

d. Tag Means of Attachment. Each tag means of attachment must be non-reusable, attachable by hand, self-locking and non-releasable, with a minimum unlocking strength of no less than 50 pounds. The device for attaching the tag also must have the general design and basic characteristics equivalent to a one-piece nylon cable tie that will withstand all environments and conditions.

e. Other Hardware. The supervisor/manager shall provide other hardware as required such as multiple lock hasps and circuit breaker and valve lockout devices.

8. Lock-out/Tag-out Procedures.

a. General Requirements.

(1) All employees performing servicing and maintenance on equipment, machines, and systems must be protected by following LOTO procedures. See Figure A-5.

(2) Specific individual procedures are required for all servicing and maintenance of equipment, machines or systems requiring LOTO of more than one energy source. See Figure A-6.

(3) Specific LOTO procedures are not required to be documented if all of the following criteria exist:

- (a) Equipment, machines or systems have no potential energy;
- (b) Equipment has single energy source, readily identified and isolated;
- (c) The isolation and lock-out completely de-energized and de-activates the machine or equipment;
- (d) The machine is isolated from the energy source and locked out during servicing and maintenance;
- (e) A single lock-out device will achieve lock-out;
- (f) It is under the control of the employee performing the lock-out;
- (g) It does not create hazards for others; and

(h) There have been no lock-out/tag-out accidents concerning the machine or equipment.

b. Specific Individual Lock-out/Tag-out Procedures. Each department is required to prepare specific individual LOTO procedures for all equipment, machines and systems requiring more than one lock-out/tag-out of those that do not meet the exception requirements listed in paragraph a, above. Each department is required to prepare specific individual lock-out/tag-out of energy isolating devices and/or those that do not meet the exception. Each department's LOTO procedure must include:

- (1) The department name.
- (2) Equipment, machines, or system description/identification.
- (3) Energy source.
- (4) Type(s) and location(s) of energy isolating means.
- (5) Verification that lock-out/tag-out devices were installed.
- (6) Neutralization of any stored or residual energy.

c. Shift Changes. To ensure the continuity of LOTO protection during shift or personnel changes where work is to be continued by an oncoming shift, an orderly transfer of LOTO devices between authorized employees from the off-going and oncoming shift must be performed. The authorized employees from both shifts must both be present at the lock-out device. The off-going authorized employee must remove his/her lock and tag, and the oncoming authorized employee must immediately place his/her lock and tag on the LOTO device. The authorized off-going employee must inform the authorized oncoming employee of any potential hazards.

d. Annual LOTO Procedure Review. Each LOTO procedure must be annually reviewed by an authorized employee, other than the one utilizing the energy control procedure. The review will be documented (Figure A-1) and kept on file in the affected department. This will be accomplished by the authorized employee observing a LOTO job and recording the following information.

- (1) Inspector's name (authorized employee performing the review).
- (2) Location.
- (3) Time and date.
- (4) LOTO job (procedure observed).
- (5) Employees involved.

- (6) Inspection findings.
- (7) Any deviations or inadequacies observed.
- (8) Recommendations.
- (9) Corrective action taken.

e. Procedure. The sequence for LOTO is as follows:

(1) Notify all affected employees that a lock-out or tag-out system is going to be utilized and the reason for its use. The authorized employees shall know the type and magnitude of energy that the machine or equipment utilizes and shall understand the hazards.

(2) If the machine or equipment is operating, shut it down by the normal stopping procedures.

(3) Operate the switch, valve, or other energy isolating device(s) so that the equipment is isolated from its energy source(s). Stored energy (such as that in springs, elevated machine members, rotating flywheels, hydraulic systems, and air, gas, steam, or water pressure, etc.) must be dissipated or restrained by methods such as repositioning, blocking, bleeding down, etc.

(4) Each individual involved must lock-out and/or tag-out the energy isolating devices with assigned and approved individual lock(s) or tag(s). A multiple LOTO device is one, which allows many authorized employees to lock-out/tag-out a single energy source.

(5) After ensuring that no personnel are exposed, and as a check for having disconnected the energy sources, operate the normal operating controls to make certain the equipment will not operate. **Caution: Return operating control(s) to neutral or off position after the test.**

(6) The equipment is now locked out or tagged out and the authorized employee(s) can perform the servicing and maintenance.

(7) After the servicing and/or maintenance is complete and equipment is ready for normal operations, check the area around the machines or equipment to ensure that no one is exposed to hazards relating to start-up.

(8) After all tools have been removed from the machine or equipment, guards have been reinstalled and employees are in the clear, remove all lock-out or tag-out devices. Operate the energy isolating devices to restore energy to the machine or equipment.

f. Testing or Positioning or Machines, Equipment, or Components. In some cases, it may be necessary for authorized employees to briefly remove their lock-out/tag-out devices for testing or positioning machines, equipment or components. Before removing the lock-out/tag-out devices, the authorized employee clears the machine/equipment and removes potentially exposed employees. Once the machine/equipment is clear, remove the lock-out/tag-out devices only for a time required to perform the controlled testing or positioning ensuring that no one is, nor will be, exposed to injury. Energize the machine/equipment and proceed with the testing/positioning. Immediately following the testing/positioning, de-energize the machine/equipment and reapply the lock-out/tag-out device(s).

g. Tag-out Only.

(1) If a device is incapable of being locked-out, a “tag-out only” procedure may be employed. Any energy-isolating device capable of being locked-out must be locked-out without exception.

(2) To conduct a tag-out only procedure, the authorized employee must follow all the steps outlined in paragraph a, above. The placement of the lock is omitted. Instead, the authorized employee must utilize a second means of isolating the hazardous energy. Removal of an isolating circuit element, the blocking of a controlling switch, the opening of an extra disconnect device, or the removal of a valve handle are all examples of secondary measures. The second means of isolation must be identified on the tag, and tags must be affixed to both the energy-isolating device, and at the point of the second means of isolation.

(3) If it is determined that a device is incapable of being locked-out, and a second means of isolation is not possible, then an equipment-specific written procedure is required to be written prior to implementing the procedure. See paragraph 9.

h. Emergency Removal of LOTO Devices. When the authorized employee who applied a LOTO device is not available to remove it, the manager may remove the device. This is considered to be an emergency procedure, to be undertaken only in extreme circumstances. Extreme care must be taken and the following steps must be performed:

(1) The supervisor/manager must verify that the authorized employee is not at the facility. If the employee’s location cannot be determined, no further action shall be taken.

(2) The supervisor/manager must make every reasonable effort to contact the authorized employee. This may include a telephone call to the employee’s home or other location.

(3) If the employee is contacted, the supervisor/manager must inform the employee that his/her LOTO devices are being removed.

(4) The supervisor/manager must verify that it is safe to remove the LOTO devices.

(5) The supervisor/manager may then use the emergency key to remove the LOTO devices, or the lock may be cut off if the key is not available.

(6) The supervisor/manager must ensure that the authorized employee is presented with the removed lock immediately upon returning to work, and is informed of the reasons for the emergency removal.

(7) The emergency procedure must be duly recorded in the department's LOTO records and signed by both the supervisor/manager and the authorized employee.

9. Equipment-Specific Written Procedures. An equipment-specific written procedure is required if the equipment undergoing servicing, modification, or maintenance has more than one energy source; requires the operation of more than one device to isolate the hazardous energy; has potential for stored, residual, or accumulated hazardous energy; is incapable of being locked out, and a second means of isolation is not possible.

a. Preparing an Equipment-Specific Written Procedure.

(1) A written energy-control procedure must be generated by the department, group, or authorized employee most familiar with the equipment. This procedure must be used by any authorized employee who will perform LOTO on the equipment. Supervisors/managers must ensure that equipment that requires a written procedure is so identified, and that the procedure is readily available to the employees authorized to perform LOTO on the equipment.

(2) Any equipment with an equipment-specific written LOTO procedure must be clearly labeled as such. The supervisor/manager or employee responsible for the equipment may determine the appropriate format and content of the label, for example:

CAUTION—An equipment-specific written procedure exists for the locking and tagging of this equipment. This equipment-specific written procedure may be obtained from _____.

b. Elements of an Equipment-Specific Written Procedure.

(1) The equipment-specific written procedure must incorporate each step in paragraph 8a.

(2) It is essential that the specific application of each LOTO step be clearly explained in the context of the specific equipment.

10. Recordkeeping Requirements.

a. Each LOTO event must be fully documented in the department log, project log, or a dedicated LOTO logbook.

b. The following information must be documented:

(1) Name of authorized employee who performed LOTO.

(2) Date and time LOTO was applied.

(3) Equipment and circuit identification.

(4) Reason for LOTO.

(5) Schematic drawing or print numbers, when available.

(6) Date and time of LOTO removal.

(7) Name of authorized employee who removed LOTO if different from authorized employee who initiated LOTO.

c. At the discretion of the supervisor/manager, recordkeeping requirements may be satisfied by an orderly system of archiving completed tags.

d. Records shall be maintained for two years.

11. **Administration and Enforcement.** See paragraph 12 of basic document (Occupational Safety and Health Program Act).

Forms:

- Figure A-1 Lock-out/Tag-out Evaluation
- Figure A-2 Lock-out/Tag-out Training for Authorized Employees
- Figure A-3 Lock-out/Tag-out Training for Affected and Other Employees
- Figure A-4 Lock-out/Tag-out Energy Isolating Device Survey
- Figure A-5 General Lock-out/Tag-out Procedure
- Figure A-6 Lock-out/Tag-out Procedures for Multiple Energy Sources

Legislative History:

- 12/5/01 Reviewed by Administration Committee.
- 1/9/02 Legislature posts for 45-day Public Review.
- 5/20/02 Enacted as Lock-out/Tag-out (6 HCC § 8-5) by Legislative Resolution 5/20/02E.

Figure A-1 Lock-out/Tag-out Evaluation

[illegible]

Figure A-2
Lock-out/Tag-out Training for Authorized Employees

[illegible]

Figure A-3
Lock-out/Tag-out Training for Affected and Other Employees

[illegible]

Figure A-4
Lock-out/Tag-out Energy Isolating Device Survey

[illegible]

Figure A-5
General Lock-out/Tag-out Procedure

HO-CHUNK NATION GENERAL LOCK-OUT/TAG-OUT PROCEDURE			
Dept.	Facility	Location	
Scope This procedure covers the necessary safety precautions and procedures for servicing and maintenance of machines and equipment in which the unexpected energization or start up, or release of stored energy could cause injury to employees.			
Purpose This procedure covers the minimum requirements for lock-out and/or tag-out of energy isolating devices to protect employees from hazardous energy including electrical, mechanical, hydraulic, pneumatic, or other energy. It will be used as a general procedure for isolating all potentially hazardous energy (lock-out/tag-out) before employees perform any servicing and maintenance activities where unexpected energization, start up, or release of stored energy could cause injury. This procedure, when used in conjunction with the specific information concerning individual machines, provides the necessary information for lock-out/tag-out of machines with the multiple energy sources.			
Procedure Only trained, authorized employees can lock-out/tag-out. All affected and other employees working in or entering work areas where lock-out/tag-out is performed must be trained concerning lock-out/tag-out procedures. Determine all energy isolating devices requiring lock-out/tag-out to ensure effective control of hazardous energy. Determine the type and magnitude of the energy and required controls. Notify all affected employees of the plans to lock-out/tag-out. Shutdown the equipment/process by proper procedures. Locate the necessary energy isolating device(s) for the equipment/process and operate them to isolate energy sources and affix lockout/tagout devices. Relieve all stored or residual energy and take appropriate measures to ensure energy does not reaccumulate. Affix lock-out/tag-out device as necessary. Verify energy isolation and relief of stored energy after ensuring employees are not exposed and before beginning work. After start buttons are activated, press the stop button. Perform the servicing and maintenance. To safely restore machines, equipment or processes to normal production operations, replace all guards and safety devices remove all personnel, remove all tools and equipment. Notify affected employees. Remove lock-out/tag-out devices (by authorized employee(s) installing lock-out/tag-out devices).			
Lock-out/Tag-out Device Removal by Employer When it becomes necessary to remove the lock-out/tag-out device of an employee who is unavailable at the facility, it can be done only by the supervisor/manager and then under a special, approved procedure.			
Group Lock-out/Tag-out When a lock-out/tag-out job involves numerous lockout/tagout devices and many employees, a group lock-out/tag-out procedure may be used. A separate, special written procedure or permit is required.			
Contractors All contractors must comply with the lock-out/tag-out procedures specified by the site supervisor/manager and employees of the Ho-Chunk Nation must not violate the contractor's lock-out/tag-out.			
Procedure Reviewed By	Date	Procedure Authorized By	Date

Figure A-6
Lock-out/Tag-out Procedures for Multiple Energy Sources

HO-CHUNK NATION LOCK-OUT/TAG-OUT PROCEDURES FOR MULTIPLE ENERGY SOURCES						
Date: _____ Procedure No. _____						
Department: _____ Facility: _____						
Location: _____						
Purpose This lockout/tagout procedure for multiple energy sources is for use in protecting employees performing servicing and maintenance of machines and equipment in which the unexpected energization or start up, or release of stored energy could cause injury to employees. It is specifically designed for use with the general lock-out/tag-out procedure.						
Procedure						
Department			Equipment/Machine/Process			
Description of Job						
Required Lock-out/Tag-out Devices (Locks, tags, chains, etc.)						
Item No.	Type	Magnitude	Description	Number		
Energy Isolation						
Step	Isolation Device	Identity	Location	LOTO Device	Comments	Isolated
Stored/Residual Energy						
Comments 						
Job Performed by: _____ Date: _____						
LOTO Procedure Authorized/Approved by: _____						