New Walking-Working Surfaces and PPE (Fall Protection) Rule

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Objectives

- Purpose of the New Rule
- Benefits of the New Rule
- Industries Affected
- Significant Changes
- Brief Overview of the Standards
  - Recognize compliance/effective dates
  - List the tools/resources available
Purpose of the New Rule

- To update the outdated subpart D (Walking Working Surfaces) standard, incorporating new technology and industry practices
- To increase consistency with OSHA’s construction standards (CFR 1926 subparts L (Scaffolds), M (Fall Protection), and X (Stairways and Ladders))
- To add new provisions to subpart I (PPE), that set forth criteria requirements for personal fall protection equipment (§1910.140)
Benefits

• According to BLS data, **slips, trips, and falls** are a **leading cause** of workplace fatalities and injuries in general industry.

• OSHA estimates the new rule will prevent 29 fatalities and 5,842 lost-workday injuries annually.
<table>
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<th>Benefit of Change To Standards</th>
<th>Result</th>
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<tr>
<td>Provides compliance flexibility away from standard guardrail first measure of pre-existing</td>
<td>Increases the fall protection options</td>
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<td>standards</td>
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<td>Provides greater consistency between OSHA's general industry and construction standards</td>
<td>Compliance easier for employers who perform both general industry and</td>
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<td>construction activities</td>
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<td>Incorporates advances in technology, industry best practices, and national consensus standards</td>
<td>Provides employers with effective and cost-efficient measures to protect workers</td>
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<td>Replaces outdated specification requirements with performance-based language and criteria</td>
<td>Provides greater flexibility</td>
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<td>Makes the final rule easier for employers and workers to understand and follow</td>
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</table>
How Does This Benefit Employees?

• Estimate is that 29 lives per year will be saved off that average of 261 fatalities a year. Let’s go for more lives saved!
• 5,842 employees per year will not have about 14 days of their lives interrupted by a painful recuperation from a fall
• The same benefits for employers

Work environments will be safer!
# Monetized Benefits

## Net Benefits of the Final Revision to OSHA’s Walking-Working Standards

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<th>Annualized Costs</th>
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<td>§1910.140 Personal Fall Protection Systems</td>
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<td>Rule Familiarization</td>
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<td><strong>Total Annual Costs</strong></td>
<td><strong>$305.0 million</strong></td>
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</table>

### Annual Benefits

| Number of Injuries Prevented                                      | 5,842 |
| Number of Fatalities Prevented                                    | 29    |

### Monetized Benefits (assuming $62,000 per injury and $8.7 million per fatality prevented)

- **$614.5 million**
- **Unquantified**

### Net Benefits (benefits minus costs)

- **$309.5 million**

Source: U.S. Department of Labor, OSHA, Directorate of Standards and Guidance, Office of Regulatory Analysis-Safety.
OSHA estimates **6.9 million** general industry establishments employing **112.3 million workers** will be affected.
Significant Changes in Standards

- Eliminates the hazard of workers climbing extended heights on fixed ladders without fall protection; phases out the use of qualified climbers in outdoor advertising;
- Phases in a requirement that fixed ladders (over 24 feet) be equipped with ladder safety or personal fall protection systems to prevent workers from falling or arresting their fall before contact with a lower level;
- Provides performance criteria for personal fall protection equipment in general industry, similar to the criteria that have been in OSHA's construction industry rules since 1994;
- Requires the use of body harnesses, and prohibits body belts, in personal fall arrest systems to distribute fall arrest forces over a larger area of a worker's body; and
- Requires workers who use personal fall protection and other equipment the standard covers be trained, and retrained as necessary, in fall and equipment hazards before they work at elevated heights or use that equipment, including fall protection systems.
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<td>§1910.26 Dockboards.</td>
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<td>§1910.27 Scaffolds and rope descent systems.</td>
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<td>§1910.28 Duty to have fall protection and falling object protection.</td>
<td>§1910.28 Safety requirements for scaffolding.</td>
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<td>§1910.29 Fall protection systems and falling object protection—criteria and practices.</td>
<td>§1910.29 Manually propelled mobile ladder stands and scaffolds (towers).</td>
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<td>§1910.30 Training requirements.</td>
<td>§1910.30 Other working surfaces.</td>
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</table>
§1910.22 – General Requirements

• Paragraph (a) Surface Conditions - Maintains old housekeeping provisions; now is added,

• Paragraph (b) - Walking-working surfaces must be designed to meet their maximum intended load, free of recognized hazards, and routinely inspected

• Paragraph (c) – Safe access and egress to and from walking-working surfaces
Paragraph (d) - Inspection of walking-working surfaces

- The final rule requires that employers inspect walking-working surfaces regularly and as needed and correct, repair, or guard against hazardous conditions

- Repairs to be done, or overseen, by qualified person
§1910.23 - Ladders

- Consolidates and simplifies rules into general requirements for all ladders, then for,
- Categories of portable ladders, fixed ladders, and mobile ladder stands
- Requires inspection before use
§1910.23

- Updates and makes rule consistent with current national consensus standards
§1910.24 – Stepbolts & Manhole Steps

- Moves stepbolt criteria from OSHA’s Telecommunication Standard to Walking-Working Surfaces
- Makes design, inspection, and maintenance requirements consistent with national consensus standards

Step bolts on pole
§1910.25 - Stairways

- Adds design and use criteria for spiral stairs, ship stairs, and alternating tread-type stairs
- Updates design criteria for stairs and landings, consistent with national consensus standards
§1910.25

• Handrails, stair rail systems, and guardrail systems must be provided; requirements are found in §1910.28

• Spiral, ship, or alternating tread-type stairs are used only when the employer demonstrates it is not feasible to provide standard stairs
§1910.26 - Dockboards

• Updates requirements for dockboards
• Adds design and construction requirements to prevent equipment from going over the dockboard edge
§1910.26 – Dockboards

- Dockboards put into service after January 1, 2017, must be designed, constructed, and maintained to prevent transfer vehicles from running off the dockboard edge - if a transport vehicle can run off the edge.
- Must have measures to secure portable dockboards.
- Wheel chocks, sand shoes etc. must anchor vehicle to prevent movement.
- Portable dockboards must be equipped with handholds or other means to permit safe handling.
• The previous scaffold standard is gone. Paragraph (a) refers scaffold use to:
  ➢ The construction standard (Subpart L, §1926.450 - §1926.454)

• Paragraph (b) adds provision allowing use of RDS, [codifies a 1991 OSHA memo allowing RDS]

• Requires certification of anchorages starting 1 year after final rule published

• Requires RDS have separate fall arrest system
Rope Descent Systems (RDS)

Typical Use for RDS - Exterior building cleaning, particularly:
- Window cleaning;
- Maintenance;
- And, inspection operations

NOTE: A rope descent system is a limited type of industrial rope system. It can only move vertically downward. The RDS also has a seat board or chair unlike an industrial rope system that has a sit harness.
Rope descent systems (RDS) and certification of anchorages (§1910.27(b))

- Codifies OSHA's memorandum for employers who use RDS to perform elevated work
  - Prohibits employers from using RDS at heights greater than 300 feet above grade
    - unless they demonstrate it is not feasible or creates a greater hazard to use any other system
  - Requires building owners to provide and employers to obtain
    - information that permanent anchorages used with RDS have been inspected, tested, certified, and maintained as capable of supporting at least 5,000 pounds per employee attached
§1910.28 Duty to Have Fall Protection & Falling Object Protection

- Consolidates general industry fall protection requirements into one section
- Makes requirements and format consistent with construction standard
- Incorporates new technology that is consistent with national consensus standards
- Retains 4 feet height (1.2 m) requirement to provide fall protection
Fall protection flexibility (§1910.28(b))

- Eliminates the existing mandate to use guardrails as the primary fall protection method
- Gives employers the flexibility to determine what method they believe will work best in their particular workplace situation,
Paragraph (a):

- Provide protection for each employee exposed to fall and falling object hazards
- Ensure that all fall protection and falling object protection required by this section meet the criteria in § 1910.29 except,
- Personal fall protection systems required by this section meet the criteria of § 1910.140
- Also outlines exceptions to application of this standard
The exceptions of §1910.28(a)

- Does not apply to portable ladders
- Tasks of inspection etc., prior to and after the work is completed. (It applies if the protection is installed)
- Exposed perimeters of entertainment stages and rail-station platforms
- Powered platforms covered by §1910.66(j)
- Aerial Lifts covered by §1910.67(c)(2)(v)
- Telecommunications work covered by §1910.268(n)(7) & (8)
- Electrical power generation transmission, and distribution work covered by §1910.269(g)(2)(i)
Means of fall protection:
- Guardrail systems;
- Safety net systems; or
- Personal fall protection systems, such as personal fall arrest, travel restraint, or positioning systems
Note to §1910.28(b)(1)(ii):

Employers will be able to rely on Fall Protection Plans under §1926.502(k) and training required under §1926.503(a) and (c), As a Last Resort.

- Presumes fall protection using guardrail systems, safety net systems, or fall protection systems is feasible

- States the EMPLOYER HAS THE BURDEN OF PROOF that it is not feasible or creates a greater hazard to use the methods stated in or outlined in §1910.28(b)(1)(i)
What Must a Fall Protection Plan Include?

- It must be prepared by a "qualified" person;
- Site-specific for where the work will be performed;
- Be maintained up-to-date and at the job site (changes with the work);
- Be implemented under the supervision of a "competent person;"
- Identify each location where fall protection systems cannot be used;
- Document the reasons why fall protection systems are infeasible or would create a greater hazard;
What Must a Fall Protection Plan Include?

• Discuss other measures that the employer will take to eliminate or reduce the fall hazard for workers;
• Provide for implementation of control measures to reduce or eliminate hazards or implement a safety monitoring system that complies with the construction standard (29 CFR 1926.502(h);
• Identify each worker who works in a location where a fall protection plan is implemented; and
• Provide for the investigation of the circumstances of any fall or other serious incident that occurs to determine whether the employer needs to change the fall protection plan and implement those changes.
Also in §1910.28(b) – Duty to Protect

- Hoist Areas
- Holes
- Dockboards
- Runways & Similar Walkways
- Dangerous Equipment
- Openings (Ex. Wall Opening)
- Repair / Service Pits
- Fixed Ladders
- Outdoor Advertising
- Stairways
- Scaffolds
- Low-Sloped Roofs
- Slaughtering Platform
- Not Otherwise Addressed
Phase-in of ladder safety systems or personal fall arrest systems on fixed ladders

Phases in over 20 years a requirement to equip fixed ladders (that extend over 24 feet) with ladder safety or personal fall arrest systems

- Prohibits the use of cages and wells as a means of fall protection after the phase-in deadline
- Final rule grandfathers in cages and wells on existing ladders, but requires during the phase-in period that employers equip new ladders and replacement ladders/ladder sections with ladder safety or personal fall arrest systems
Outdoor Advertising

§1910.28(b)(10)
Phase-out of the "qualified climber" exception in outdoor advertising

- Phased out OSHA's directive allowing qualified climbers in outdoor advertising to climb fixed ladders on billboards without fall protection.
- Phased in the requirement to equip fixed ladders (over 24 feet) with ladder safety or personal fall arrest systems. Outdoor advertising employers must follow the fall protection phase-in timeline for fixed ladders. However, if ladders do not have any fall protection, outdoor advertising employers have 2 years to comply with the existing standard.
Outdoor Advertising

The Old Requirement:
Employers are only required to install fall protection (i.e., ladder safety systems) where the length of a climb exceeds 50 feet or the height of the ladder extends more than 65 feet above grade.
Outdoor Advertising

The New Requirement

• Phases in a requirement to equip fixed ladders (over 24 feet) on billboards, with fall protection and to ensure outdoor advertising workers use the fall protection while climbing fixed ladders.

• The final rule establishes the following timeline for installing fall protection on billboard fixed ladders:
Outdoor Advertising What’s New?

- Outdoor advertising employers have **two years** to install a cage, well, ladder safety system, or personal fall arrest system on billboard fixed ladders that are not equipped with any fall protection (§1910.28(b)(10)(ii));
- Outdoor advertising employers have **20 years** to install a ladder safety or personal fall arrest system on billboard fixed ladders that have a cage or well (§1910.28(b)(9)(i)(D));
- Outdoor advertising employers must equip **new** billboard ladders with a ladder safety system or personal fall arrest system (§1910.28(b)(9)(i)(B)); and
- Outdoor advertising employers must equip billboard ladder and section **replacements** with a ladder safety system or personal fall arrest system (§1910.28(b)(9)(i)(C)).
Why Have the Phase-In Period?

- Economical feasible and cost considerations were needed.
- Where some type of fall protection exists, employers will have up to 20 years to install ladder safety systems or personal fall arrest systems. This is about the useful life of outdoor advertising fixed ladders.
- Where billboard fixed ladders do not have fall protection, the final rule gives outdoor advertising employers two years to come into compliance:
  - Eases the economic impacts of the final rule.
  - Gives employers time to negotiate with manufacturers/vendors for the most cost-effective system that satisfies their needs.
  - Remember, although the existing standard requires that fixed ladders (over 20 feet) be equipped with cages or wells, the final rule allows outdoor advertising employers to equip billboard fixed ladders with ladder safety or personal fall arrest systems, which cost less than cages and wells.
Low-Sloped Roofs

§1910.28(b)(13)
Employers must provide:

- guardrail,
- safety net,
- or personal fall protection systems

to protect workers from falling off unprotected sides/edges of residential roofs that are four feet or more above a lower level

- Fall protection is not required when inspecting, investigating, or assessing workplace conditions or work prior to the start of work or after all work is completed (§1910.28(a)(2)(ii).)
• When the employer can demonstrate that it is not feasible or creates a greater hazard to use guardrail, safety net, or personal fall protection systems on a residential roof, the employer must develop and implement:
  • A fall protection plan and training.
  • Fall protection plan and training must meet the requirements of the construction fall protection standard (29 CFR 1926.502(k) and 1926.503(a) and (c)). (As discussed earlier)
Low-Sloped Roofs

• The employer will have the burden to show it is not feasible or creates a greater hazard to use:
  - Guardrail, safety net, or personal fall protection systems, AND rely on;
  - Implementing a fall protection plan in accordance with (§1910.28(b)(1)(ii)).
Slaughtering Facility Platforms

§1910.28(b)(14)
• Employee working on unprotected side of the platform must be protected by:
  – Guardrail system, or
  – Travel restraint system
• If not feasible, work may be done if:
  – The work is in process (ongoing)
  – Access to platform limited
  – Authorized employees trained (§1910.30)
Walking-Working Surfaces Not Otherwise Addressed

§1910.28(b)(15)
§1910.28(b)(15) – Other Surfaces

• If an operation is not covered by regulatory languages in the OSHA standards, the employer must still protect employees by:
  - Guardrail system
  - Safety net systems
  - Personal fall protection systems such as,
    - Personal fall arrest
    - Travel restraint
    - Positioning systems
Specifies design and installation requirements of each fall protection system available to employers including:

- Guardrails
- Stair rails
- Designated areas
- Safety nets
- Covers
- Cages and wells
- Ladder safety systems
- Toe boards
Guardrail systems (b) (these are not all specifications)

- Top rail 42” ± 3” (107 cm) ± (8 cm)
- Midrail midway between top rail and surface
- If screens/mesh used, from surface to top rail
- Guardrail force requirement still 200 pounds
- Midrail, screen/ mesh force requirement 150 pounds
  - Parapets can suffice for midrail if at least 21” high (53 cm), but total height of protection must still be 42” ± 3” (107 cm) ± (8 cm)
§1910.29 Criteria & Practices

• Safety Net Systems (c)
  – must meet the requirements in 29 CFR Part 1926, subpart M

• Designated Areas (d)
  – Employees must remain in designated area
  – Must have warning line system that complies with (d)(2) & (d)(3)
  – Distances 6 feet (1.8 m) & 15 feet (4.6 m) apply for warning distances
  – Clearly visible 25 feet (7.6 m) away
§1910.29 Criteria & Practices

- **Covers (e)**
  - Must support twice the weight anticipated
  - Secured to prevent accidental displacement
- **Handrails (f)**
  - Height range 30” (76 cm) to 38” (97 cm) from the leading edge of tread to top of handrail
  - Smooth to touch and easy to grasp
  - Withstand 200 pounds (890 N) of force
§1910.29 Criteria & Practices

• Cages, Wells, and Platforms Used With Fixed Ladders (g)
  – Designed for easy access & egress on ladder
  – Continuous throughout ladder except for access, egress, & points of transfer
  – Will contain climber and direct to a lower landing
  – Platform dimension requirement
Outdoor Advertising, (h)  [climbing w.o. fall protection]

- Employees must be physically capable of climbing through observation or physical exam
- Successfully completed training or apprenticeship program for ladder climbing and retrained as necessary
- Has skill to climb ladders and it is demonstrated
- Climbs ladders as part of routine work activity
Ladder Safety Systems (i)

- Can climb up and down using both hands. No need to hold, push, or pull any part of the system.
- Connection between carrier or lifeline and attachment to body harness not greater than 9” (23 cm).
- Mounting specification requirements.
- Capable of withstanding drop test of 18 “ (41 cm) with 500 pound (227 kg) weight.
Personal Fall Protection Systems (j)
  • Must meet requirements of §1910.140
Protection From Falling Objects (k)
  • Toe board specification requirements
  • Panel or screening if height of materials exceed toe board
  • Canopies used for falling object protection must hold dropped objects
Grab Handles (l)

- Must not be less than 12 “ (30 cm) long
- Mounted for at least 3” (8 cm) clearance
- Will withstand pullout force equal to
  - Two times the maximum intended load or,
  - 200 pounds (890 N), whichever is greater
– Will be done BEFORE the employee is exposed to a fall hazard
– Training date for compliance - May 17, 2017
– Trainer must be a qualified person
– Training topics
  • Nature of the fall hazards and how to recognize
  • Procedures to minimize exposure
  • Correct procedures for use of personal fall protection systems and equipment such as dockboards, and rope descent systems
  • Designated areas set-up and use
§1910.30 – Training

• Adds training and retraining requirements addressing fall hazards and equipment hazards

• Requires employers make training understandable to workers; done in a manner the workers understand
§1910.140 Personal Protective Equipment (Personal Fall Protection Systems)

• Adds definitions for personal fall protection systems
• Adds new section on system and use criteria for:
  • Personal fall protection equipment (e.g., lanyards, ropes, D-rings, harnesses)
  • Personal fall arrest systems
  • Travel restraint systems
  • Work positioning systems
Personal Fall Protection

Travel Restraint

Personal Fall Arrest

Work Positioning
§1910.140

• (a) Scope
  – Performance, care, and use requirements for all personal fall protection systems
  – Employer must ensure the systems meet the requirements of 1910.140

• (b) Definitions
  – Similar in content to the construction standard, but tailored for general industry
• (c) General Requirements
  – Specific requirements for design and use of personal fall arrest system components
  – Additional requirements are outlined in paragraphs (d) & (e)

• (d) Personal Fall Arrest Systems
  – System performance criteria
  – System use criteria
  – Body belts are prohibited as a part of a personal fall arrest system
• (e) Positioning Systems
  – All positioning systems except window cleaners systems will pass a drop test of a 4 foot (1.2 m) distance with a 250 pound (113 kg) weight
  – Window cleaner system will pass a drop test of a 6 foot (1.6 m) distance with a 250 pound (113 kg) weight and,
  – Limit the initial arresting force on a falling employee
  – Equipment tested must meet the test methods and procedures in Appendix D, Test Methods and Procedures for Personal Fall Arrest Systems
(e) Positioning Systems

- Lineman’s body belt and pole strap tests
  - Dielectric test
  - Leakage test
  - Flammability test

- Window Cleaner system use criteria
  - Belt terminal; length of belt runner
  - Window anchors
  - Work condition requirements
Other Revised Standards with Added Provisions for Fall Hazard Reduction

- §1910.66 – Powered Platforms for Building Maintenance
- §1910.67 – Vehicle-mounted Elevating and Rotating Work Platforms
- §1910.68 – Manlifts
§1910.132(g) – General Requirements (For PPE)

- Paragraphs (d) [Hazard Assessment & Equipment Selection] and (f) [Training] apply to:
  - §1910.133 – Eye and Face Protection
  - §1910.135 – Head Protection
  - §1910.136 – Foot Protection
  - §1910.138 – Hand Protection
  - §1910.140 – Personal Fall Protection

- Paragraphs (d) and (f) do not apply to:
  - §1910.134 – Respiratory Protection
  - §1910.137 – Electrical Protective Equipment
New Appendices in Subpart I - PPE

• Appendix C - Personal Fall Protection Systems (Non-Mandatory) – Go here for compliance assistance with 1910.140
• Appendix D – Test Methods and Procedures for Personal Fall Protection Systems – Go here for assistance with the test methods that determine if equipment will perform in accordance with paragraphs (d) and (e) of 1910.140
Critical Compliance Dates

Final Rule was published on November 18, 2016. Most of it became effective 60 days later. Compliance in critical areas are due by:

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<th>Final Subpart D Section and Requirement</th>
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<td>§1910.27(b)(1) – Certification of anchorages</td>
<td>November 20, 2017</td>
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<td>§1910.28(b)(9)(i)(A) – Deadline by which employers must equip existing fixed ladders with a cage, well, ladder safety system, or personal fall arrest system</td>
<td>November 19, 2018</td>
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<tr>
<td>§1910.28(b)(9)(i)(B) – Deadline by which employers must begin equipping new fixed ladders with a ladder safety system or personal fall arrest system</td>
<td>November 19, 2018</td>
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<tr>
<td>§1910.28(b)(9)(i)(D) – Deadline by which all fixed ladders must be equipped with a ladder safety system or personal fall arrest system</td>
<td>November 18, 2036</td>
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<tr>
<td>§1910.30(a) and (b) – Deadline by which employers must train employees on fall and equipment hazards</td>
<td>May 17, 2017</td>
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Conclusion

- Will increase Consistency between General Industry and Construction Standards
- Makes compliance easier for employers
- Updates reflect advances in technology
- Increases consistency with consensus standards
- The most important benefit for everyone is the estimated reduction of fatalities and injuries:

  29 Fatalities and 5,842 Injuries Annually!
  Let’s all DO OUR PART to have greater reductions than the estimate!
Compliance Assistance Resources

• OSHA’s new webpage on subparts D&I:
  www.osha.gov/walking-working-surfaces/index.html

• Fact sheets
  – OSHA’s Final Rule to Update, Align, and Provide Greater Flexibility in its General Industry Walking-Working Surfaces and Fall Protection Standards; 3 pages

• FAQs
  – Hits the high points of major equipment users and compliance dates
Questions?
Disclaimer

This information has been developed by an OSHA Compliance Assistance Specialist and is intended to assist employers, workers, and others as they strive to improve workplace health and safety. While we attempt to thoroughly address specific topics [or hazards], it is not possible to include discussion of everything necessary to ensure a healthy and safe working environment in a presentation of this nature.

Thus, this information must be understood as a tool for addressing workplace hazards, rather than an exhaustive statement of an employer’s legal obligations, which are defined by statute, regulations, and standards. Likewise, to the extent that this information references practices or procedures that may enhance health or safety, but which are not required by a statute, regulation, or standard, it cannot, and does not, create additional legal obligations.

Finally, over time, OSHA may modify rules and interpretations in light of new technology, information, or circumstances; to keep apprised of such developments, or to review information on a wide range of occupational safety and health topics, you can visit OSHA’s website at www.osha.gov.