

## OSHA Walking-Working Surface Rule for General Industry

### Background

The information that follows will summarize recent revisions to the General Industry Safety Orders, 1910.21 through 1910.30 otherwise known as (Subpart D), Walking and Working Surfaces and personal fall protection systems located in Subpart I, Section 1910.141.

Falls from heights and on the same level (a working surface) are among the leading causes of serious work-related injuries and deaths. OSHA estimates that, on average, approximately 202,066 serious (lost-workday) injuries and 345 fatalities occur annually among workers directly affected by the final standard. OSHA estimates the revised rule will prevent 29 fatalities and 5,842 lost-workday injuries every year by better protecting workers, clarifying standards as well as adding training and inspection requirements. Workers and industries affected are broad and range, from window washers to chimney sweeps. It does not change construction or agricultural standards.

Employers may appreciate the opportunity to adapt to situations as the rule allows for greater flexibility in choosing a fall protection system. For example, it eliminates the existing mandate to use guardrails as a primary fall protection method and allows employers to choose from accepted fall protection systems they believe will work best in a particular situation.

As much as possible, OSHA aligned fall protection requirements for general industry with those for construction, easing compliance for employers who perform both types of activities. For example, the final rule replaces the outdated general industry scaffold standards with a requirement that employers comply with OSHA's construction scaffold standards.

### Fall Protection Options

Protecting workers from fall hazards along unprotected sides or edges is also addressed. To that end, unprotected sides or edges that are at least 4 feet above a lower level must be protected. The revised standard also sets requirements for fall protection in specific situations, such as hoist areas, runways, areas above dangerous equipment, wall openings, repair pits, stairways, scaffolds, and slaughtering platforms. And it establishes requirements for the performance, inspection, use, and maintenance of personal fall protection systems.

Fall protection is defined as “any equipment, device, or system that prevents a worker from falling from an elevation or mitigates the effect of such a fall.” Under the final rule, employers may choose from the following fall protection options:

- Guardrail System – A barrier erected along an unprotected or exposed side, edge, or other area of a walking-working surface to prevent workers from falling to a lower level.
- Safety Net System – A horizontal or semi horizontal, cantilever-style barrier that uses a netting system to stop falling workers before they make contact with a lower level or obstruction.

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- Personal Fall Arrest System – A system that arrests/stops a fall before the worker contacts a lower level. Consists of a body harness, anchorage, and connector, and may include a lanyard, deceleration device, lifeline, or a suitable combination. Like the construction standards, the final rule prohibits the use of body belts as part of a personal fall arrest system.
- Positioning System – A system of equipment and connectors that, when used with a body harness or body belt, allows a worker to be supported on an elevated vertical surface, such as a wall or window sill, and work with both hands free.
- Ladder Safety System – A system attached to a fixed ladder designed to eliminate or reduce the possibility of a worker falling off the ladder. A ladder safety system usually consists of a carrier, safety sleeve, lanyard, connectors, and body harness. Cages and wells are not considered ladder safety systems.

## Rope Descent Systems

OSHA has included Rope Descent Systems in the rule and codifies a 1991 OSHA memorandum that permits employers to use Rope Descent Systems (RDS). RDS consist of a roof anchorage, support rope, descent device, carabiners or shackles, and a chair or seat board. These systems are widely used throughout the country to perform elevated work, such as window washing.

Requirements for RDS include a height limit of 300 feet and testing that certifies 5000 pound capacity for each supported worker.

## Ladder Safety Requirements

Falls from ladders account for 20 percent of all fatal and lost work-day injuries in general industry. The new rule includes requirements to protect workers from falling off fixed and portable ladders as well as mobile ladder stands and platforms. (The ladder requirements do not apply to ladders used in emergency operations or ladders that are an integral part of or designed into a machine or piece of equipment).

In general, ladders must be capable of supporting their maximum intended load, while mobile ladder stands and platforms must be capable of supporting four times their maximum intended load. Each ladder must be inspected before initial use in a work shift to identify defects that could cause injury.

Fixed Ladders – Fixed ladders are permanently attached to a structure, building, or equipment. These include individual-rung ladders, but not ship stairs, step bolts, or manhole steps.

- Regulations for fixed ladder phase in a requirement for employers to have ladder safety or personal fall arrest systems for fixed ladders that extend more than 24 feet, and phases out the use of cages or wells for fall protection under the following timeline:
  - Starting in two years, all new fixed ladders and replacement ladder/ladder sections must have a ladder safety or personal fall protection system.
  - For existing ladders, within two years, employers must install a cage, well, ladder safety system, or personal fall arrest system on fixed ladders that do not have any fall protection.
  - Within 20 years, all ladders extending more than 24 feet must have a ladder safety or personal fall arrest system.

Portable Ladders – Portable ladders usually consist of side rails joined at intervals by steps, rungs, or cleats. They can be self-supporting or lean against a supporting structure. The final rule will be easier for employers and workers to

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understand and follow because it uses flexible performance based language instead of detailed specification and design requirements.

Under the revisions, employers must ensure that:

- rungs and steps are slip resistant;
- portable ladders used on slippery surfaces are secured and stabilized;
- portable ladders are not moved, shifted, or extended while a worker is on them;
- top steps and caps of stepladders are not used as steps;
- ladders are not fastened together to provide added length unless designed for such use;
- ladders are not placed on boxes, barrels, or other unstable bases to obtain added height.

## Training Requirements

Training requirement revisions direct employers to ensure that workers who use personal fall protection and work in other specified high hazard situations are trained, and retrained as necessary, about fall and equipment hazards, including fall protection systems. A qualified person must train these workers to correctly:

- identify and minimize fall hazards;
- use personal fall protection systems and rope descent systems;
- maintain, inspect, and store equipment or systems used for fall protection

When there is a change in workplace operations or equipment, or the employer believes that a worker would benefit from additional training based on a lack of knowledge or skill, then the worker must be retrained. The training must be provided in a language and vocabulary that workers understand.

**Timeline** - Most of the rule will become effective January 17, 2017, 60 days after publication in the Federal Register, but some provisions have delayed effective dates, including:

Rule	Effective Date
Ensuring exposed workers are trained on fall hazards	May 17, 2017
Ensuring workers who use equipment covered by the final rule are trained	May 17, 2017
Inspecting and certifying permanent anchorages for rope descent systems	November 20, 2017
Installing personal fall arrest or ladder safety systems on new fixed ladders over 24 feet and on replacement ladders/ladder sections, including fixed ladders on outdoor advertising structures	November 19, 2018
Ensuring existing fixed ladders over 24 feet, including those on outdoor advertising structures, are equipped with a cage, well, personal fall arrest system, or ladder safety system	November 19, 2018
Replacing cages and wells (used as fall protection) with ladder safety or personal fall arrest systems on all fixed ladders over 24 feet	November 18, 2036

## References

<https://www.osha.gov/walking-working-surfaces/>

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This Tribal First Risk Control Consulting fact sheet is not intended to be exhaustive. The discussion and best practices suggested herein should not be regarded as legal advice. Readers should pursue legal counsel or contact their insurance providers to gain more exhaustive advice. For more information on this topic, please contact Tribal First Risk Control Consulting at (888) 737-4752 or [riskcontrol@tribalfirst.com](mailto:riskcontrol@tribalfirst.com).

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