



OSHA PUBLISHES FINAL RULE ON WALKING-WORKING SURFACES

The Occupational Safety and Health Administration (OSHA) issued a final rule updating its general industry Walking-Working Surfaces standards specific to slip, trip and fall hazards. The rule also includes a new section under the general industry Personal Protective Equipment standards that establishes employer requirements for using personal fall-protection systems. The rule will take effect on January 17, 2017 and will affect about 112 million workers at 7 million work sites. OSHA estimates it will prevent 29 fatalities and more than 5,842 injuries annually.

The final rule's most significant update is allowing employers to select the fall-protection system that works best for them, choosing from a range of accepted options, including personal fall-protection systems. Other changes include allowing employers to use rope descent systems up to 300 feet above a lower level; prohibiting the use of body belts as part of a personal fall-arrest system; and requiring worker training on personal fall-protection systems and fall equipment. This rule updates requirements to reflect advances in technology and to make them consistent with more recent OSHA standards and national consensus standards.

Background:

Workers in many diverse general industry workplaces are exposed to walking-working surface hazards that can result in slips, trips, falls and other injuries or fatalities. According to the Bureau of Labor Statistics (BLS) data, slips, trips and falls are the leading causes of workplace fatalities and injuries in general industry which indicates that workers regularly encounter these hazards. This rule covers all general industry walking-working surfaces, including but not limited to floors, ladders, stairways, runways, dockboards, roofs, scaffolds and elevated work surfaces and walkways.

What is in the Rule?

The final rule uses performance-based language in place of specification language, where possible, to increase compliance flexibility for employers. OSHA believes the flexibility the final rule provides will allow employers to select and provide the controls the determine will be most effective in the particular workplace operation or situation to protect their worker and prevent injuries and fatalities from occurring.

The final rule sets forth requirements on the types of fall protection systems that employers must select and use to protect works from fall hazards while working in specific workplace areas. However, the rule allows employers to use any one or more of the fall protection systems listed for the particular area, situation or activity. These include:

- **Guardrail systems** – barriers erected to prevent works from falling to a lower level;
- **Safety net systems** – passive fall protection systems that arrest a worker from falling to a lower level when a fall occurs. Employers must install safety net systems as close as practicable below the surface where workers are working, and extend the systems beyond the outermost projection of the workstation;
- **Personal fall protection systems** – a type of conventional fall protection system that protects a worker from falling, or safely arrests a worker's fall;

- Personal fall arrest systems – a type of personal fall protection system used to arrest workers from falling to a lower level when a fall occurs. These systems consist of an anchorage, connector and body harness;
- Travel restraint systems – a type of personal fall protection system used to limit a worker's travel to prevent exposure to a fall hazard;
- Ladder safety systems – a system designed to eliminate or reduce the possibility of falling from a fixed ladder;
- Positioning systems – a type of personal fall protection system designed to support a worker in a fixed location, on an elevated vertical surface, so the worker can work with both hands free;
- Handrails – rails used to provide workers a handhold for support; and/or
- Designated areas – a distinct portion of a walking-working surface delineated by a perimeter warning line in which workers may perform work in certain situations without using additional fall protection.

Combustible Dust:

One component of the rule specifically addressed is combustible dust. In the preamble to the proposed rule, OSHA explained its longstanding position that this housekeeping rule covers hazards other than slips, trips and falls and includes fire and explosion resulting from combustible dust accumulations. Prior court decisions upheld OSHA's interpretation, saying 'the housekeeping standard is not limited to tripping and falling hazards, but may be applied to significant accumulation of combustible dust. The Agency confirms in this final rule that its combustible dust enforcement strategy includes citing housekeeping violations.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to ensure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance.

To read the rule in its entirety, following this link:

<https://www.federalregister.gov/documents/2016/11/18/2016-24557/walking-working-surfaces-and-personal-protective-equipment-fall-protection-systems>.