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## Key provisions of OSHA's new rule on walking/working surfaces, fall protection

Although an overwhelming majority of general industry accidents stem from slips, trips and falls, Subpart D of General Industry Standards, "Walking-Working Surfaces," adopted in April 1971, was inadequate, inconsistent, and unclear, but efforts to update were continually thwarted.

Finally a new rule, 513 pages long, went into effect January 17, 2017 and updated requirements for ladders, stairs, dockboards, and fall and falling object protection for general industry. It applies to all general industry workplaces and covers all walking-working surfaces, which include horizontal and vertical surfaces such as floors, stairs, roofs, ladders, ramps, scaffolds, elevated walkways, and fall protection systems. It also addresses training requirements and inspections of surfaces and equipment.



Covering a wide variety of general industry firms including building management services, utilities, warehousing, retail, window cleaning, chimney sweeping, and outdoor advertising, it does not change construction or agricultural standards. OSHA stated that it tried to align fall protection requirements for general industry "as much as possible" with its requirements for construction because many employers perform both types of activities. Many of the requirements are simplified, definitions are unified, and similar types of equipment, such as ladders, are grouped into one section.

### ***Key differences between old and new standard***

## 1. *Fall protection*

**Old standard:** Mandated use of guardrails as the primary fall protection method

**New standard:** Gives employers the flexibility to determine what method they believe will work best in their particular workplace situation, such as personal fall arrest, safety net, guard rails, travel restraint, ladder safety, and work positioning systems. Under certain circumstances work can be done without fall protection §1910.28(b)(1)(iii). Personal fall arrest systems do not include the use of body belts. However, body belts may be used instead of harnesses when part of a ladder safety system. The rule also adds requirements on the performance, inspection, use, and maintenance of these systems. The height at which fall protection equipment must be required remains at four feet.

## 2. *Updated scaffold requirements (§1910.27(a))*

**Old standard:** Outdated scaffolding standards inconsistent with construction standards

**New standard:** Requires employers to comply with OSHA's construction scaffold standards and added new requirements for rope descent systems, not previously regulated by either OSHA's general industry or construction standard

## 3. *Modified ladder requirements and phase-in of ladder safety systems or personal fall arrest systems on fixed ladders (§1910.28(b)(9))*

**Old standard:** Detailed design and specification requirements for portable ladders; cages and wells acceptable form of fall protection on fixed ladders higher than 24 feet

**New standard:** Employers must ensure that ladders are capable of supporting at least the maximum intended load, which is the total weight and force anticipated to be applied by employees and equipment or other materials. Mobile ladder stands and platforms must be capable of supporting four times the maximum intended load. Also, all ladders must be inspected before initial use during a work shift, and as often as OSHA deems necessary after that, to identify visible defects that could cause worker injuries. Special requirements for portable ladders include slip-resistant rungs and steps, and finding ways to secure and stabilize use on slippery and other potentially dangerous surfaces. In addition, OSHA now requires that employers ensure when employees ascend or descend a portable ladder, they maintain three points of contact at all times: facing the ladder, using at least one hand to firmly grasp the ladder, not carrying any object or load that could cause them to lose balance and fall.

**Major change:** Cages and wells no longer acceptable fall protection on fixed ladders higher than 24 feet. Fixed ladders must now be equipped with ladder safety system or personal fall arrest systems. There is a grandfather and phase-in provision, that grandfathers in cages and wells on existing ladders, but requires during the phase-in period (20 years) that employers equip new ladders and replacement ladders/ladder sections with ladder safety or personal fall arrest systems.

4. *"Qualified climber" exception in outdoor advertising*

**Old standard:** Exception allowed qualified climbers in outdoor advertising to climb fixed ladders on billboards without fall protection.

**New standard:** The directive allowing qualified climbers in outdoor advertising to climb fixed ladders on billboards without fall protection will be phased out and workers must follow the fall protection phase-in timeline for fixed ladders.

5. *Rope descent systems (RDS) and certification of anchorages (§1910.27(b))*

**Old standard:** Previously regulated under General Duty Clause

**New standard:** 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 above that height. In addition, 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.

***Training requirements***

Employers must make sure 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. For each fall hazard that is identified, employees also must understand how following the procedures that have been established will protect them from injury or death [29 CFR 1910.30(a)]. Instruction must include how to properly use any tools and equipment such as ladders and safety net systems, portable guardrails, mobile ladder stands and mobile platforms. Employees also need to understand any limitations that these devices present and how misuse can cause injury or death. If personal fall protection

systems will be used, training must include proper hook-up, anchoring, tie-off techniques, inspection and equipment storage [29 CFR 1910.30(a)(3)].

Employers can determine the type of training: classroom, audio-visual, demonstrations, field training, web-based, computer-based or other forms of training to meet the requirements of the standard. Training must be performed by a qualified person [29 CFR 1910.30(a) (2)] and if web, video or computer-based methods are used, a qualified person must be available to answer questions. While there are no specific annual requirements for retraining, training requirements "impose an ongoing responsibility on employers to maintain worker proficiency. As such, when workers are no longer proficient, the employer must retrain them."

### ***Inspection requirements***

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

### ***Important transitional dates***

Some provisions have delayed effective dates to assist with the transition:

- **Training workers on fall and equipment hazards - **(5/17/2017)****
- **Inspection and certification of permanent building anchorages - **(11/20/2017)****
- **Installation of fall protection (personal fall arrest systems, ladder safety systems, cages, wells) on existing fixed ladders (over 24 feet) (including outdoor advertising structures) that do not have any fall protection - **(11/19/2018)****
- **Installation of ladder safety or personal fall arrest systems on new fixed ladders (over 24 feet) and replacement ladders/ladder sections - **(11/19/2018)****
- **Replace cages/wells and installation of ladder safety systems or personal fall arrest systems on all fixed ladders (over 24 feet) - **(11/18/2036)****

### ***State plans***

States with OSHA-approved state plans have six months to adopt standards that are at least as effective as Federal OSHA standards. Many state plans adopt standards identical to OSHA, but some state plans may have different or more stringent requirements.

For more information on the changes, visit [OSHA's webpage on the Walking-Working Surfaces standard](#).

