

VOSH PROGRAM DIRECTIVE: 02-243A**Effective Date: 15 January 2012**

<u>Subject</u>	Part 1910, Subpart I, Enforcement Guidance for Personal Protective Equipment (PPE) in General Industry	
<u>Purpose</u>	CHANGE I: This directive transmits to field personnel general enforcement and guidance policy for standards addressing personal protective equipment (PPE) and instructs enforcement personnel on the interpretations of those standards and the procedures for enforcing them. CHANGE II: The reference to reflective clothing in section VIII.G. has been removed.	
	<i>This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.</i>	
<u>Scope</u>	This directive applies to all VOSH personnel.	
<u>Reference</u>	OSHA Instruction CPL 02-01-050 (February 10, 2011)	
<u>Cancellation</u>	VOSH Program Directive 02-243 (April 1, 2011).	
<u>Action</u>	Directors and Managers shall ensure that the policies and procedures established in this Directive are adhered to when CSHOs are performing general industry inspections.	
<u>Effective Date</u>	CHANGE I: 01 April 2011	CHANGE II: 15 January 2012

Courtney M. Malveaux
Commissioner

Distribution:	Commissioner of Labor and Industry Assistant Commissioner - Programs VOSH Directors and Managers Legal Support & IMIS Staffs	Cooperative Programs Director & Manager VOSH Compliance & Cooperative Programs Staffs OSHA Regional III & Norfolk Area Offices
Attachment:	Part 1910, Subpart I, Enforcement Guidance for Personal Protective Equipment (PPE) in General Industry	

When the instructions, as set forth in this Program Directive, are applied to the Department of Labor and Industry and/or to Virginia employers, the following federal terms, if and where they are used, shall be considered to read as below:

Federal Terms

VOSH Equivalent

OSHA

VOSH

Federal Agency

State Agency

Agency

Department

Regional Administrator

Assistant Commissioner – Programs

Area Director

Regional Director
VOSH Program Director

Regional Solicitor

Attorney General or VOSH
Division of Legal Support (DLS)

Office of Statistics

VOSH Research and Analysis

29 CFR

VOSH Standard

Compliance Safety and Health Officer (CSHO)
and/or Industrial Hygienist

CSHO

OSHA Directives:

OSHA Field Operations Manual (FOM)

VOSH Field Operations Manual (FOM)

OSHA Instruction CPL 02-00-111 (11/27/95)
Citation Policy for Paperwork and Written
Program Requirement Violations, CPL 02-00-111

VOSH PD 01-009A (10/15/07), Citation Policy for
Paperwork and Written Program Requirement
Violations, CPL 02-00-111

OSHA Instruction CPL 02-00-120 (09/25/98)
Inspection Procedures for the Respiratory Protection
Standard

VOSH PD 02-411 (12/15/98), Inspection
Procedures for the Respiratory Protection Standard

OSHA Instruction CPL 02-00-142 (08/03/06)
Shipyard Employment “Tool Bag” Directive

VOSH PD 02-801A (04/01/07), Shipyard “Tool
Bag” Directive

Executive Summary

This Directive, Part 1910, Subpart I, Enforcement Guidance for Personal Protective Equipment in General Industry, provides enforcement guidance to Virginia Occupational Safety and Health (VOSH) Compliance Safety and Health Officers (CSHOs); national, regional, and area offices; and state programs and federal agencies concerning VOSH's policies and procedures for implementing inspection programs to reduce injuries, illnesses and fatalities, and eliminate workplace hazards in general industry employment through the use of Personal Protective Equipment (PPE). Federal OSHA revised the general industry standards for personal protective equipment, Part 1910, Subpart I, 59 F.R. 1334 (April 6, 1994); corrected 59 F.R. 33910 (July 1, 1994). The Safety and Health Codes Board ("the Board") adopted an identical version of this revision on April 25, 1994, effective on July 5, 1994, and adopted the corrections on July 19, 1994, effective on October 1, 1994. Provisions were added to Part 1910.132 to require employers to select appropriate PPE based on the hazards present or likely to be present in the workplace; to prohibit the use of defective or damaged PPE; and to require that employees be trained so that each affected employee can properly use the assigned PPE. On November 15, 2007, federal OSHA issued a final rule for "Employer Payment for Personal Protective Equipment" that applies identical PPE payment requirements to workplaces in all industries, including those covered by the general industry standards (Part 1910). On February 28, 2008, the Board adopted federal OSHA's final rule for "Employer Payment for Personal Protective Equipment," with an effective date of June 1, 2008, and an implementation date of September 1, 2008.

On September 9, 2009, federal OSHA issued a final rule to revise the personal protective equipment (PPE) standards based on National Consensus standards; including sections of its general industry, shipyard employment, longshoring, and marine terminals standards regarding requirements for eye- and face-protective devices, head protection, and foot protection. 74 F.R. 46350-46361 The Board adopted this final rule on January 14, 2010, with an effective date of April 5, 2010.

This Directive provides information and enforcement guidance to support VOSH's inspection efforts in general industry employment. VOSH is updating the references in its regulations to recognize more recent editions of the applicable national consensus standards, and is deleting editions of the national consensus standards that PPE must meet if purchased before a specified date. In addition, VOSH is amending its provision that requires safety shoes to comply with a specific American National Standards Institute (ANSI) standard.

Significant Changes

This Directive has been revised and updated to include the following significant changes:

- Clarifies what type of PPE employers must provide at no cost, when employers must pay for PPE, or for replacement PPE, and when employers are not required to pay for PPE.
- Clarifies the PPE payment requirements for PPE worn off the jobsite, for PPE that must remain at the jobsite, and for employee-owned PPE.
- Sets forth enforcement policies that reflect court and review commission decisions concerning PPE.
- Provides guidance that allows employers to use PPE constructed in accordance with the most recent national consensus standards.

TABLE OF CONTENTS

I.	PURPOSE	5
II.	SCOPE	5
III.	CANCELLATIONS	5
IV.	REFERENCES	5
V.	APPLICATION	6
VI.	BACKGROUND	6
VII.	INSPECTION GUIDELINES FOR GENERAL INDUSTRY.	6
	A. 1910.132 General Requirements.	7
	B. 1910.133 Eye and Face Protection.....	10
	C. 1910.134 Respiratory Protection.	12
	D. 1910.135 Head Protection.....	13
	E. 1910.136 Foot Protection.....	15
	F. Applicable Electrical Standards (PPE Implications).....	16
	G. 1910.138 Hand Protection.....	17
	H. 1910.95 Hearing Protection (Occupational Noise Exposure).	17
	I. 1910 Fall Protection Requirements.	19
	J. Appendices to Subpart I of Part 1910.....	20
VIII.	EMPLOYER OBLIGATIONS TO PROVIDE AND PAY FOR PERSONAL PROTECTIVE EQUIPMENT (PPE).	20
IX.	CITATION POLICY FOR PPE PAYMENT.	29
X.	PPE STANDARDS REFERENCE TABLE.	31
	APPENDIX A INTERPRETATION LETTERS.	32

I. Purpose.

This Directive, *Enforcement Guidance for Personal Protective Equipment in General Industry*, has been developed to provide general enforcement policy and guidance related to Personal Protective Equipment (PPE), and to assist CSHOs in conducting inspections.

II. Scope.

This applies VOSH-wide.

III. Cancellations.

None.

IV. References.

- A. 29 CFR Part 1910, Occupational Safety and Health Standards, Subparts D, F, G, H, I, J, L, N, O, P, Q, R, S, and Z.
- B. 29 CFR Part 1915, Occupational Safety and Health Standards for Shipyard Employment, Subparts B, C, D, E, F, H, I and Z.
- C. 29 CFR Part 1917, Marine Terminals, Subparts B, E, F, and G.
- D. 29 CFR Part 1918, Safety and Health Regulations for Longshoring, Subparts H, I, and J.
- E. 29 CFR Part 1926, Safety and Health Regulations for Construction.
- F. Department of Labor 2010-2016 Strategic Plan, Department of Labor Strategic Plan for Fiscal Years 2010-2016.
- G. 68 F.R. 23527-23568, 29 CFR Part 1910, Proposed Rule, Walking and Working Surfaces; Personal Protective Equipment (Fall Protection), May 2, 2003.

Note: These proposals were originally issued in 1990, 55 Fed. Reg. 47660 (April 10, 1990), and were republished without change when the rulemaking record was reopened in 2003. Cites in this document are to the 2003 Federal Register notice.
- H. 74 F.R. 46350-46361, 29 CFR Final Rule, Updating OSHA Standards Based on National Consensus Standards; Personal Protective Equipment, September 9, 2009.
- I. 72 F.R. 64341-64430, 29 CFR 1910.132(h), Final Rule, Employer Payment for Personal Protective Equipment, November 15, 2007.
- J. 73 F.R. 48335, 29 CFR Proposed Rule, Clarification of Remedy for Violation of Requirements to Provide Personal Protective Equipment and Train Employees, September 18, 2008.
- K. 75 F.R. 28861-29153, Walking Working Surfaces and Personal Protective Equipment (Fall Protection Systems), Notice of Proposed Rulemaking, May 24, 2010.
- L. OSHA CPL 02-00-148, OSHA Field Operations Manual (FOM), November 9, 2009.
- M. Occupational Safety and Health Act of 1970 (29 U.S.C. §654(a)(1 - 2)).

N. OSHA Publication 3151-12R-2003, Personal Protective Equipment.

V. Application.

This Directive applies to general industry workplaces covered by Part 1910.

VI. Background.

On April 6, 1994, federal OSHA published a final rule updating the general industry standards for PPE, Part 1910, Subpart I, 59 F.R. 16334-16364, and was corrected by 59 F.R. 33910-33911, July 1, 1994. The Safety and Health Codes Board (the "Board") adopted an identical version of the federal final rule updating the general industry standards for PPE on April 25, 1994, with an effective date of July 5, 1994, and the Board adopted the correction on July 19, 1994, with an effective date of October 1, 1994.

On June 16, 1995, OSHA published STD 01-06-006, *Inspection Guidelines for 29 CFR1910. Subpart I, the revised Personal Protective Equipment Standards for General Industry*, to provide Compliance Officers with inspection guidance related to the final rule.

OSHA published a final rule requiring employers to pay for most of the PPE they must provide, 72 F.R. 64341-64430. The rule does not require employers to provide PPE where none has been required before. Instead, the rule merely stipulates that the employer must pay for required PPE, except in the limited cases specified in the standard.

On September 9, 2009, OSHA issued a final rule which revised and updated PPE standards to be more consistent with the current consensus standards regarding good industry practices, as reflected by the latest editions of the pertinent American National Standards Institute (ANSI) standards at the time. 74 F.R. 46350-46361. The rule provided guidance for the selection and use of PPE, as well as clearer requirements that are performance-oriented where appropriate. New paragraphs, containing requirements covering equipment selection, defective and damaged equipment, and training, were added to Part 1910.132. The Board adopted OSHA's final rule on January 14, 2010, with an effective date of April 15, 2010.

VII. Inspection Guidelines for General Industry.

The compliance safety and health officer (CSHO) shall determine whether the employer is in compliance with the Part 1910, Subpart I, PPE requirements (1910.132 through 1910.138), other standards applicable to general industry that require PPE (See NOTE, below), and with the final rule for *Employer Payment for Personal Protective Equipment* dated November 15, 2007 (February 13, 2008 effective date).

General Industry Requirements under Part 1910, Subpart I – Personal Protective Equipment.

1910.132(a)	Provide PPE that is necessary to protect employees from hazards
1910.132(b)	Ensure that employee-owned equipment is adequate, properly maintained, and sanitary
1910.132(c)	Ensure that the PPE used is safe in design and construction
1910.132(d)	Conduct a hazard assessment and select protective equipment accordingly
1910.132(e)	Prohibit the use of defective or damaged protective equipment
1910.132(f)	Provide PPE training to employees
1910.132(g)	This provision provides that the hazard assessment and training provisions at (d) and (f) above apply to Subpart I requirements (see the following table) for eye, face, head, foot, and hand PPE. However, the hazard assessment and training provisions at (d) and 5 (f) do not apply to respiratory protection or electrical protective equipment.
1910.132(h)	Provide most PPE required by OSHA standards at no cost to employees

1910.133	Eye and face protection
1910.134	Respiratory protection
1910.135	Head protection
1910.136	Foot protection
1910.137	Electrical protective equipment
1910.138	Hand protection

A. 1910.132 General Requirements.

This section describes current OSHA standards that apply to PPE. This section also provides a framework for determining whether the employer has complied with those standards.

Standards specifically applicable to a condition, practice, means, method, operation, or process shall prevail over any different general standard which might otherwise be applicable. However, general standards apply according to their terms to any employment and place of employment in any industry even though specific standards are also prescribed. Initially, apply the most specific PPE standard to the specific hazard or exposure; apply general PPE standards to situations not specifically covered by a standard. When a specific PPE standard does not apply to working conditions, or does not fully address a hazard, the CSHO shall determine whether a citation under Title 40.1.51.1(a)(1), the General Duty Clause, shall be issued. The CSHO shall refer to the VOSH Field Operations Manual (FOM). If a difficult question arises, consult the Assistant Commissioner - Programs and the VOSH Division of Legal Support or the Office of the Attorney General.

This section describes the general requirements under 1910.132 through 1910.138 that apply to PPE along with hazard- and industry-specific standards that contain PPE provisions.

1. Application –1910.132(a) The CSHO shall cite 1910.132(a) when the employer fails to provide, ensure use, and maintain protective clothing, in a sanitary and reliable condition whenever it is necessary by reason of hazards capable of causing injury in any part of the body.

The requirement to provide, ensure use and maintain protective clothing e.g., flame resistant clothing in a sanitary and reliable condition whenever it is necessary by reason of flash fires capable of causing injury to parts of the body. CSHO shall cite 1910.132(a) where this requirement is not met.

Body protection is required for employees who face potential bodily injury of any kind that cannot be eliminated through engineering, work practice or administrative controls while performing their jobs. Exposure to radiation, temperature extremes, hot splashes from molten metals and other hot liquids, and hazardous chemicals are examples of workplace hazards that could cause bodily injury. In addition, exposure to blood and other body fluids may cause illness.

Examples of body protection include laboratory coats, coveralls, vests, jackets, aprons, surgical gowns and full body suits (1910.132 (a)).

2. Employee-owned PPE – The CSHO shall determine that the employer is ensuring that the PPE is adequate for the job; e.g., properly maintained and in sanitary condition 1910.132(b).
3. Design of PPE – The CSHO shall determine that the PPE is of safe design and construction 1910.132(c).

4. Hazard assessment and equipment selection – 1910.132(d).
- a. The CSHO shall determine whether the employer has assessed hazards and selected equipment for eye and face protection, head, foot, and hand protection (1910.132(d)(1)). Appendix B of Subpart I provides guidance on how to comply with this requirement.
 - b. The CSHO shall not cite 1910.132(d) for the employer's failure to assess respiratory hazards and to select proper respiratory protection. The respiratory protection standard requires the provision of respirators suitable for the purpose intended (1910.134(a)(2)).
 - c. The CSHO shall not cite (1910.132(d)) for the employer's failure to assess electrical hazards and to select electrical protective equipment. OSHA's de minimis policy would allow PPE that is appropriate for the specific parts of the body to be protected and for the work to be performed (1910.335(a)(1)(i)).
 - d. The CSHO shall determine whether the employer has selected the types of PPE that are required to protect the employee from identified hazards. The CSHO shall cite 1910.132(d)(1)(i) for the failure to select adequate PPE.
 - e. The CSHO shall cite more specific assessment and selection provisions when applicable.

Examples:

The hazardous waste operations and emergency response standard contains assessment and PPE selection requirements at (1910.120(c)(5)(i) - (iv); 1910.120(g)(3)(i) through (vi), and 1910.120(q)(3)(iii), (iv)).

The permit-required confined space standard requires PPE when engineering and work practice controls do not adequately protect employees (1910.146(d)(iv)). The standard also requires PPE and rescue equipment needed to conduct rescues safely (1910.146(k)(1)(i)).

The welding standard's PPE selection requirement addresses proper and suitable helmets, hand shields, and eye protection needed for the job (1910.252(b)(2)(i)(A)(B) and (D)).

The telecommunications standard requires PPE needed for the work to be performed (1910.268(e)).

CSHOs shall cite (1910.1030(d)(3)), for provisions requiring employers to provide PPE for occupational exposures, and refer to CPL 02-02-069, *Enforcement Procedures for the Occupational Exposure to Bloodborne Pathogens* for further guidance regarding bloodborne exposures.

- f. The CSHO shall determine whether the employer has communicated selection decisions to each affected employee. Cite 1910.132(d)(1)(ii) if the employer has failed to inform employees or conduct PPE demonstrations.

- g. The CSHO shall determine whether the employer has selected PPE that properly fits each affected employee. Cite 1910.132(d)(1)(iii) if the PPE selected does not properly fit.

Appendix B of Subpart I provides non-mandatory guidance for determining and achieving the proper fit that is required under this standard.

- h. The CSHO shall determine whether the employers have certified in writing that a hazard assessment has been conducted. A violation of 1910.132(d)(2) should be issued if no written certification has been performed.

Employers may rely on previously conducted, appropriate hazard assessments even if performed by a previous employer, provided that the job conditions and hazards have not substantially changed. If an employer relies upon a hazard assessment that it or another employer conducted, the certification shall contain the date the employer determined that the prior hazard assessment was adequate rather than the date of the actual assessment.

The CSHO shall cite the standards for the use of eye and face protective devices, head protection, and foot protection, 1910.133(b), 1910.135(b), or 1910.136(b), respectively, if the PPE provided by the employer does not meet the ANSI standards incorporated by reference in those standards.

A citation shall not be issued for a violation of the applicable PPE standard if the employer demonstrates that a piece of equipment is as effective as that complying with the incorporated ANSI standard.

5. Defective and damaged PPE – 1910.132(e).

The CSHO shall determine whether defective or damaged personal protective equipment is being used. The CSHO shall not cite 1910.132(e) if, in its present condition, the PPE provides the protection it was designed to provide.

A citation shall be issued if the employer allows the employee to use defective or damaged PPE that the employer has provided or that the employee already owns and volunteers to use.

6. PPE Training – 1910.132(f).

- a. The CSHO shall determine whether the employer has trained each employee who is required to use eye and face protection, head, foot, and hand protection on the following:
- when and what PPE is necessary,
 - how to don, doff, adjust, and wear the PPE;
 - the limitations of PPE; and
 - the proper care, maintenance, useful life, and disposal of PPE.
- b. The provision(s) corresponding to these elements at 1910.132(f)(1)(i) – (v) shall be cited if any employee required to use eye, face, head, foot or hand protection has not been trained on all of the element(s).
- c. The CSHO shall determine whether each employee performs work requiring the use of PPE can demonstrate an understanding of the required training, and the

ability to use PPE properly. Lack of an employee's knowledge in or use of, assigned PPE would be indicative that the employee has not retained the requisite understanding or skill. Cite 1910.132(f)(2) where the employer fails to meet this requirement.

- d. The CSHO shall determine whether changes in the workplace or in the types of PPE used have made previous training obsolete. The CSHO shall cite 1910.132(f)(3) with reference to the circumstance at 1910.132 (f)(3)(i) if the employer has not retrained each affected employee.
- e. The CSHO shall determine whether the employee knows when and what eye, face, head, foot and hand PPE is necessary, how to properly don, doff, adjust and wear the assigned PPE, the limitations on the assigned PPE, and the proper care, maintenance, useful life and disposal of the assigned PPE. If each employee required to use the assigned PPE does not know all of the above, a citation shall be issued under 1910.132(f)(3)(iii) for the failure to retrain.
- f. A citation shall not be issued under 1910.132(f) if the employer did not provide training but a previous employer has provided training that conforms to the above elements. The CSHO should determine if the employee has the requisite knowledge and skill through his or her prior experience.
- g. The CSHO shall determine whether the employer has a written certification that each affected employee has received and understands the required training. Cite 1910.132(f)(4) if an employer cannot produce such certification.
- h. The CSHO shall determine if the certification contains the name of each employee trained, the dates of training, and the subject of the certification.
- i. If an employer relies upon training provided by another employer, or the knowledge and ability gained by an employee through his or her work experience, the written certification should contain the date that the current employer determined that the prior training or the employee's knowledge was adequate, rather than the date of the actual training.

Employers may use any format that contains the required information. It may be a single certification for all of its employees, for a group of employees (based on a common task, type of exposure, or other appropriate characteristic), or for one or more named employees. The document need only indicate that it is a certification of training for PPE being used by the employee. It need not identify the specific category of PPE (e.g., eye and face protection), type (e.g., goggles), or model of PPE covered by the certification.

B. 1910.133 Eye and Face Protection.

Where such protection is necessary, CSHOs shall verify whether employers provide their affected employees with eye and face protection as required by 1910.132 and 1910.133. The employer must ensure that each affected employee uses protective eye and face wear that fits properly and protects against specific workplace hazards. In addition, the employer should ensure that the protective eye and face wear is reasonably comfortable, provides unrestricted vision and movement, is durable and clean, and provides unrestricted functioning of any other required PPE. For additional information on eye and face protection, see OSHA Publication 3151-12R-2003, *Personal Protective Equipment*.

1. The standard requires that each affected employee shall use appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acid or caustic liquids, chemical gases or vapors, or potentially injurious light radiation (1910.133(a)(1)).
2. Front and side eye protection must be used when there is a hazard from flying objects. Detachable side protectors (e.g., clip-on or slide-on shields) meeting the pertinent requirements of this section are acceptable (1910.133(a)(2)).
3. The standard requires that each affected employee who wears prescription lenses while engaged in operations that involve eye hazards must wear eye protection that incorporates the prescription in its design, or protection that can be worn over the prescription lenses without disturbing the proper position of either the PPE or the prescription lenses (1910.133(a)(3)).
4. When employees use equipment with filter lenses, the lenses must have a shade number appropriate for the work being performed for protection from injurious light radiation (1910.133(a)(4)). See 1910.133, Table I-1, *Filter Lenses for Protection Against Radiant Energy*, which lists the necessary shade numbers for various operations.

NOTE: When goggle and helmet lenses are worn together, the shade value of the goggle and helmet lenses can be summed to satisfy the shade requirements of 1910.133, Table I-1.

5. Protective eye and face devices must comply with any of the following consensus standards (1910.133(b)(1)):
 - a. ANSI Z87.1-2003, *American National Standard Practice for Occupational and Educational Eye and Face Protection* (1910.133(b)(1)(i)); or
 - b. ANSI Z87.1-1989 (R-1998), *American National Standard Practice for Occupational and Educational Eye and Face Protection* (1910.133(b)(1)(ii)); or
 - c. ANSI Z87.1-1989, *American National Standard Practice for Occupational and Educational Eye and Face Protection* (1910.133(b)(1)(iii)).

NOTE: Eye and face protective devices that the employer demonstrates are at least as effective as devices that are constructed in accordance with one of the above consensus standards will be deemed to be in compliance with the requirements of this section (1910.133(b)(2)).

6. The CSHO should use OSHA Publication 3151-12R-2003, *Personal Protective Equipment*, as a reference aid. The following are some examples of eye protection:
 - a. **Safety spectacles or glasses** have safety frames constructed of metal or plastic and impact-resistant lenses. Permanent or detachable side protection is available on some models.

NOTE: Side protection is required when there is a hazard from flying objects.

- b. **Detachable side protectors** (e.g., clip-on or slide-on side shields) may be permitted as long as they meet the criteria specified in ANSI Z87.1-1989 (1910.133(a)(2)).

NOTE: Detachable side protectors meeting the criteria of ANSI Z87.1-1989 (R-1998) and ANSI Z87.1-2003 are also acceptable.

- c. **Goggles** are tight-fitting eye protection that completely covers the eyes, eye sockets and the facial area immediately surrounding the eyes. They provide protection from impact, dust and splashes. Some goggles will fit over corrective lenses.
- d. **Face shields** are transparent sheets of plastic extending from the eyebrows to below the chin and across the entire width of the employee's head. Some are polarized for glare protection. Screenshot face shields are used around molten metal operations. Faceshields protect eyes from small particles and potential splashes or sprays of hazardous liquids but will not provide adequate protection against impact hazards.

NOTE: Face shields shall be used only in conjunction with spectacles or goggles, providing a higher level of protection to the employees face and eyes. See, ANSI Z87.1-2003, American National Standard Practice for Occupational and educational Eye and Face Protection.

- e. **Welding shields** are constructed of vulcanized fiber or fiberglass and can be fitted with a filtered lens. Welding shields protect eyes from burns caused by infrared or intense radiant light; they also protect both the eyes and face from flying sparks, metal spatter, and slag chips produced during welding, brazing, soldering, and cutting operations. OSHA requires filter lenses to have a shade number appropriate to protect against harmful light radiation. For additional information on filtered lenses, see Table I-1 at 1910.133.
- f. **Laser safety goggles** are specialty goggles that protect against intense concentrations of light produced by lasers. Laser safety goggles should protect for the specific wavelength of the laser and must be of sufficient optical density for the energy involved. Safety goggles intended for use with laser beams must be labeled with the laser wavelengths for which they are intended to be used, the optical density of those wavelengths, and the visible light transmission. The type of laser safety goggles chosen by the employer will depend upon the equipment and operating conditions in the workplace.

C. 1910.134 - Respiratory protection.

CSHOs should determine if an employer has complied with the requirements in 1910.134. The 1910.134 standard applies to respirator use where respirators are being worn to protect employees from exposure to air contaminants above an exposure limit or are otherwise necessary to protect employee health, and where respirators are otherwise required to be worn by the employer, and where respirators are voluntarily worn by employees for comfort or for other reasons. The standard requires employers to have a written respiratory protection program that includes procedures for: respirator selection, use, fit testing, and cleaning, maintenance and repair; training in respirator use and respiratory hazards; medical evaluations of employees required to use respirators; procedures for ensuring adequate breathing air; and for evaluating the respiratory protection program's effectiveness.

1. The requirement for employers to conduct engineering and work practice controls appears in several substance-specific standards (e.g., the asbestos standard at 1910.1001(f)). CSHOs shall cite the respirator provisions of substance-specific Part 1910 standards when those standards apply (e.g., the asbestos standard at 1910.1001(g)). Cite 1910.1000(e) when the substance is listed in Table Z of 29 CFR 1910.1000. The requirement for employers to provide respirators is found in several substance-specific Part 1910 standards (e.g., the lead standard at 1910.1025(e) and (f)). CSHOs shall cite the respirator provisions of substance-specific standards when those standards apply. Cite 1910.134(a)(2) when the substance is listed only in Table Z of 1910.1000. Respirator violations are normally grouped with the overexposure to substances regulated by other standards.
2. The employer must provide the right type of respirator for the substance and level of exposure involved. Respiratory protection equipment includes: filtering face pieces (dust masks) and other air-purifying respirators; atmosphere-supplying respirators, including supplied-air respirators and self-contained breathing apparatus; and escape-only respirators. Unless a substance-specific standard applies, citations shall be issued under 1910.134(d) if an employer fails to provide an appropriate respirator. For complete enforcement guidance on respiratory protection, see *VOSH Program Directives 02-411, Inspection Procedures for the Respiratory Protection Program* and 09-003, *VOSH Field Operations Manual*.

D. 1910.135 Head protection.

CSHOs shall determine compliance with head protection requirements in 1910.135(a). Employers must require employees to wear a protective helmet or hard hat when working in areas where there is potential for injury to the head from falling objects (1910.135(a)(1)). A protective helmet designed to reduce electrical shock hazards must be worn by employees where there is potential for electric shock or burns due to contact with exposed electrical conductors which could contact the head (1910.135(a)(2)). In general, hard hats or protective helmets shall resist penetration by objects, absorb the shock of a blow, be water-resistant, and have slow-burning properties. Manufacturers' instructions explaining proper adjustment and replacement of the suspension and headband should be followed. Employers shall replace protective helmets and their suspension systems when damaged or deteriorated, and at intervals specified by the manufacturer. For additional information on head protection, see OSHA Publication 3151-12R-2003, *Personal Protective Equipment* and ANSI Z89.1-2003, *American National Standard for Industrial Head Protection*.

1. Head protection must comply with any of the following consensus standards (1910.135(b)(1)).
 - a. ANSI Z89.1-2003, *American National Standard for Industrial Head Protection* (1910.135(b)(1)(i)); or
 - b. ANSI Z89.1-1997, *American National Standard for Industrial Head Protection* (1910.135(b)(1)(ii)); or
 - c. ANSI Z89.1-1986, *American National Standard for Personnel Protection - Protective Headwear for Industrial Workers -Requirements* (1910.135(b)(1)(iii)).

NOTE: Head protection devices that the employer demonstrates are at least as effective as devices constructed in accordance with one of the above consensus standards will be deemed to be in compliance with the requirements of this section (1910.135(b)(2)).

2. ANSI Z89.1-1986 contains the following types and classes.
 - a. Type I. Type I helmets have a full brim.
 - b. Type II. Type II helmets are brimless with a peak extending forward from the crown.
 - c. Class A. Class A helmets are intended to reduce the force of impact of falling objects and to reduce the danger of contact with exposed low-voltage conductors. Representative sample shells are proof-tested at 2,200 volts (phase to ground).
 - d. Class B. Class B helmets are intended to reduce the force of impact of falling objects and to reduce the danger of contact with 15 exposed high-voltage conductors. Representative sample shells are proof-tested at 20,000 volts (phase to ground).
 - e. Class C. Class C helmets are intended to reduce the force of impact of falling objects. This class offers no electrical protection.

NOTE: Proof-test voltages for Class A and B helmets are not intended to be an indication of the voltage at which the headgear protects the wearer, but only the level at which they are tested.

3. ANSI Z89.1-1997 classifies protective helmets according to the specific impact (types) and electrical performance requirements they are designed to meet (classes).
 - a. Type I. Helmets intended to reduce the force of impact resulting from a blow only to the top of the head.
 - b. Type II. Helmets intended to reduce the force of impact resulting from a blow which may be received off center or to the top of the head.

NOTE: ANSI Z89.1-1997 eliminated the old Type I and Type II (full brim vs. no encircling brim) design designations. In the 1997ANSI standard, Type I is used to designate vertical impact protection and Type II is used to designate vertical and side impact protection.

- c. Class G (General). Class G helmets are intended to reduce the danger of contact exposure to low-voltage conductors. Test samples are proof-tested at 2,200 volts (phase to ground).
- d. Class E (Electrical). Class E helmets are intended to reduce the danger of exposure to high-voltage conductors. Test samples are proof-tested at 20,000 volts (phase to ground).
- e. Class C (Conductive). Class C helmets are not intended to provide protection against contact with electrical conductors.

NOTE: ANSI Z89.1-1986 specified the helmet classes as A, B, and C. The 1997 ANSI standard (Z89.1-1997) changed these helmet classes to G, E, and C. Proof-test voltages for Class G and E helmets are not intended to be an indication of the voltage at which the headgear protects the wearer, but only the level at which they are tested.

E. 1910.136 Foot protection.

CSHOs shall determine compliance by employers with the foot protection requirements in 1910.136. Employers must ensure that employees wear protective footwear when working in areas where there is a danger of foot injuries from falling or rolling objects, or objects piercing the sole (1910.136(a)).

1. The hazard assessment provision at 1910.132(d)(1) requires employers to identify the hazards to which their employees may be exposed and have employees equipped accordingly.
2. Protective footwear must comply with any of the following consensus standards (1910.136(b)(1)):
 - a. ASTM F-2412-2005, *Standard Test Methods for Foot Protection*, and ASTM F-2413-2005, *Standard Specification for Performance Requirements for Protective Footwear* (1910.136(b)(1)(i)); or
 - b. ANSI Z41-1999, *American National Standard for Personal Protection- Protective Footwear* (1910.136(b)(1)(ii)); or
 - c. ANSI Z41-1991, *American National Standard for Personal Protection- Protective Footwear* (1910.136(b)(1)(iii)).

NOTE: Protective footwear that the employer demonstrates is at least as effective as footwear that is constructed in accordance with one of the above consensus standards will be deemed to be in compliance with the requirements of this section (1910.136(b)(2)). The manufacturers' instructions and the distributors' literature may not be in themselves evidence of effectiveness.

- d. For additional information on foot protection, see OSHA Publication 3151-12R-2003, *Personal Protection Equipment*. The following are some examples of foot (or lower leg) protection:
 - **Metatarsal guards** are designed to protect the top of the foot from the toes to the ankle over the instep of the foot. This protection is required when there is a potential for injury to that part of the foot from impact or compression hazards. Examples include handling heavy pipes or similar activities where loads could drop on or roll over an employee's foot. These guards are made of aluminum, steel, composites, fiber or plastic, and may be attached to the outside of shoes.
 - **Toe guards** fit over the toes of regular shoes to protect the toes from impact and compression hazards. They may be made of steel, aluminum, or plastic.

NOTE: ANSI Z41-1991, American National Standard for Personal Protection- Protective Footwear, which is incorporated by reference, requires at paragraph 1.4 that the toe box be incorporated into the footwear during construction and shall be an integral part of the footwear. An employer who chooses to provide employees with toe guards must demonstrate that they are as equally protective as the Z41-1991 standard as required by 1910.136(b)(1) and (b)(2).

- **Combination foot and shin guards** protect the lower legs and feet, and may be used in combination with toe guards when greater protection is needed.
- **Safety shoes or boots** provide protection against impact resistant toes), compression and puncture hazards, and have heat resistant soles that protect against hot work surfaces.
- **Electrically conductive shoes** provide protection against the buildup of static electricity. Employees working in actual or potentially explosive and hazardous locations must wear conductive shoes to reduce the risk of static electricity buildup on the body that could produce a spark and cause an explosion or fire. Foot powder should not be used with protective conductive footwear because foot powder provides insulation and reduces the conductive ability of the shoes. Silk, wool, and nylon socks can produce static electricity and should not be worn with conductive footwear. Conductive shoes must be removed when the task requiring their use is completed.

NOTE: Employees exposed to electrical hazards must never wear conductive shoes.

- **Electrical hazard, safety-toe shoes or boots** are intended to provide protection against open circuits of 600 volts or less under dry conditions. This footwear is designed to reduce hazards due to contact with electrically energized parts and is only intended to provide secondary electrical hazard protection on surfaces that are substantially insulated. They also provide toe protection.

NOTE: Electrical hazard footwear is not meant for use in explosive or hazardous locations where conductive footwear is required. Nonconductive footwear must not be used in an explosive or hazardous location. The insulating protection of electrical hazard shoes may be compromised if: the shoes become wet, the soles are worn through, metal particles become embedded in the sole or heel or employees touch conductive items that are grounded.

- **Foundry shoes** have safety toe protection, insulate the feet from the extreme heat of molten metal, and keep hot metal from lodging in shoe eyelets, tongues, or other shoe parts. These snug-fitting leather or leather-substitute shoes have leather or rubber soles and rubber heels.

F. Applicable Electrical Standards (PPE Implications).

Sections 1910.137 Electrical Protective Devices, 1910.269 Electric Power Generation, Transmission, and Distribution, 1910.333 Selection and Use of Work practices, 1910.335 Safeguards for personnel protection CSHOs shall cite 1910.137(b)(2)(ii) when the employer fails to ensure that the insulating equipment has not been inspected for damage before each day's use and immediately following any incident that can reasonably be suspected of having caused damage. CSHOs shall cite 1910.137(b)(1) when protective equipment has not been maintained in a safe, reliable condition. CSHOs shall cite 1910.137(b)(2)(viii) when electrical protective equipment has not been periodically tested.

NOTE: Insulated protected tools and testing equipment are not considered to be personal protective equipment when working in proximity to exposed electrical parts. These tools are designed to make contact with exposed energized conductors or circuit parts.

VOSH's existing clothing requirement in 1910.269(l)(6)(iii) does not require employers to protect employees from electric arcs through the use of flame-resistant clothing. Rather, it requires that an employee's clothing does not increase the extent of an injury when exposed to flames or electric arcs.

CSHOs shall cite 1910.333(a) when employers fail to select and use work practices to prevent electric shock from direct or indirect electrical contacts when work is performed near or on equipment or circuits which are or may be energized. Specific work practice requirements are detailed in paragraph (c) of this section.

CSHOs shall cite 1910.335(a)(2)(ii) when the employer fails to use safeguards, such as shields, barriers, or insulating material, to protect employees from shock, burns, or other electrically related injuries. In situations where safeguards that are not fully protective safeguards are used, OSHA's citation policy for de minimis violations may apply if the employer has implemented supplemental measures, which could include the use of arc-rated clothing, to fully protect employees from all residual energy (e.g., the resultant thermal effects from the electric arc that passes the initial safeguard). See Letter of Interpretation dated November 14, 2006.

G. 1910.138 Hand Protection.

CSHOs shall determine compliance by employers with hand protection requirements using 1910.138(a). Employers shall select and require affected employees to use appropriate hand protection when their hands are exposed to hazards such as: from skin absorption of harmful substances, severe cuts or lacerations, severe abrasions, punctures, chemical burns, thermal burns, harmful temperature extremes, and sharp objects. Each affected employee who faces possible bodily injury of any kind that cannot be completely eliminated through engineering, work practice or administrative controls must wear appropriate hand protection while performing their jobs. For additional information on hand and body protection, see OSHA Publication 3151-12R-2003, *Personal Protective Equipment*.

NOTE: Most chemical glove manufacturers provide recommendations based on the chemicals used and even the type of protection needed (such as immersion versus splash). Many of these recommendations are available from the manufacturers online.

H. 1910.95 Hearing protection (Occupational Noise Exposure).

1. The 29 CFR 1910.95 provisions for hearing protection apply to general industry and shipyard employment. When permissible noise exposure levels are exceeded and feasible administrative or engineering controls fail to reduce the noise level to below the PEL, the employer must provide hearing protection to each affected employee. CSHOs shall determine whether employers have identified all affected employees and ensure each employee exposed above permissible noise levels wears the hearing protection. Employee exposure to excessive noise is affected by a number of factors, including the noise level(s) as measured in decibels (dB), the duration of exposure to noise, whether employees move between work areas with different noise levels, and whether noise is generated from one or multiple sources. The *Permissible Noise Exposures* table below is from the OSHA noise standard; Table G-16 at 29 CFR 1910.95(b)(2). In general, the louder the noise (sound level), the shorter the period during which employees may be exposed without requiring hearing protection.

Permissible Noise Exposures

Duration per day, in hours	Sound level dBA in slow response
8	90
6	92
4	95
3	97
2	100
1½	102
1	105
½	110
¼ or less	115

As part of a continuing, effective hearing conservation program employers must make hearing protection available to all employees exposed to an 8-hour time-weighted average of 85 decibels or greater measured on the A scale (slow response) at no cost to the employees. See (1910.95(c)).

2. The provisions of 1910.95(c) require employers to ensure that hearing protection is provided to, and worn by, all employees who are exposed to an 8-hour time-weighted average of 85 decibels or greater, or who are required by 1910.95(b)(1) to wear personal protective equipment, and by any employees who are exposed to an 8-hour time-weighted average of 85 decibels or greater, and who:
 - a. Have not yet had a baseline audiogram established pursuant to 1910.95(g)(5)(ii) as required by 1910.95(i)(2)(ii)(A); or
 - b. Have experienced a standard threshold shift (1910.95(i)(2)(ii)(B)).
3. Hearing protection equipment must be replaced as necessary (1910.95(i)(1)), as all types of PPE have a limited life span. For example, the foam seal on earmuffs flanges on rubber earplugs, and foam earplugs all lose their elasticity over time. As hearing protectors wear out, their attenuation properties are diminished. Also, the headband on earmuffs can relax so that they no longer provide a snug fit. Although some foam plugs

can be washed several times in mild soap and water, they should usually be changed every day or two, especially in dusty or oily environments. They should not be removed with dirty hands if they are expected to be reused, as reinsertion of dirty plugs may cause ear infections.

4. Employees must be given the opportunity to select hearing protection from a variety of suitable equipment provided by the employer (1910.95(i)(3)). For example, employers must give employees a choice between at least one type of earplug and one type of earmuff since individuals may be more comfortable in one type of protection than in the other.
5. The employer must provide training in the use and care of all hearing protection provided to employees (1910.95(i)(4)).
6. The employer must ensure proper initial fitting and supervise the correct use of all hearing protection (1910.95(i)(5)).
7. Hearing protector attenuation. CSHOs shall determine whether the employer has evaluated hearing protector attenuation for the specific noise environments in which the protector will be used. The employer shall use one of the evaluation methods described in 1910.95 Mandatory Appendix B: *Methods for Estimating the Adequacy of Hearing Protection Attenuation* (1910.95(j)(1)). The *OSHA eTOOL for Noise and Hearing Conservation*, provides useful information related to noise potential health effects, noise standards limits, evaluation of noise exposures, and requirements for an effective hearing conservation program including:
 - a. Monitoring program;
 - b. Audiometric testing program;
 - c. Hearing protection devices (HPDs);
 - d. Employee training and education; and
 - e. Recordkeeping.
8. Hearing protectors must attenuate employee exposure at least to an 8-hour time-weighted average of 90 decibels as required by paragraph (b) of the standard (1910.95(j)(2)).
9. For employees who have experienced a standard threshold shift, hearing protectors must attenuate employee exposure to an 8-hour time-weighted average of 85 decibels or below (1910.95(j)(3)).
10. The adequacy of hearing protector attenuation shall be re-evaluated whenever employee noise exposures increase to the extent that the hearing protectors provided may no longer provide adequate attenuation. Employers shall provide more effective hearing protectors where necessary (1910.95(j)(4)).
11. General information on some types of hearing protectors:
 - a. **Single use earplugs** are made of waxed cotton, foam, silicone, rubber, or fiberglass wool. They are self-forming and, when properly inserted, they work as well as most molded earplugs.

- b. **Pre-formed or molded earplugs** need to be individually fitted by a professional and can be disposable or reusable. Reusable plugs need to be cleaned after each use.
- c. **Earmuffs** require a complete seal around the ears. Glasses, facial hair, long hair or facial movements (such as chewing) may reduce the protective value of earmuffs.

I. Fall Protection Requirements.

Reserved - Pending approval of *Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems); Proposed Rule.*

J. Appendices to Subpart I of Part 1910.

1. *Appendix A of Part 1910, Subpart I (General Industry PPE)*, provides information which may be helpful in understanding and implementing the standards in Subpart I. Reference Further Information on Personal Protection Equipment (Non-Mandatory),
2. *Appendix B of Part 1910, Subpart I (General Industry PPE)*, provides compliance assistance for employers and employees in implementing requirements for a hazard assessment and the selection of personal protective equipment. Non-Mandatory Compliance Guidelines for Hazard Assessment and Personal Protective Equipment Selection,
3. *Appendix C of Part 1910, Subpart I (General Industry PPE)*, provides general information for all personal fall protection systems and is intended to assist employers and employees to comply with the requirements of 1910.140 for personal fall protection systems. 75 F.R. 28861-29153, *Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems); Proposed Rule, May 24, 2010. Personal Fall Protection Systems Non-Mandatory Guidelines.*
4. *Appendix D of Part 1910, Subpart I (General Industry PPE)*, provides test methods for personal fall protection systems which may be used to determine if they meet the system performance criteria specified in 1910.140(d) and (e). 75 F.R. 28861-29153, *Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems); Proposed Rule, May 24, 2010. Test Methods and Procedures for Personal Fall Protection Systems Non-Mandatory Guidelines.*

VIII. Employer Obligations to Provide and Pay for Personal Protective Equipment (PPE).

The PPE standards, 1910.132 through 1910.138, establish the employer's obligation to provide PPE to employees. In particular, 1910.132(a) states: "Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact."

A. Summary.

OSHA’s final rule for *Employer Payment for Personal Protective Equipment* requires employers to pay for the PPE used to comply with OSHA standards, with specific exceptions. 72 F.R. 64341-64430 (November 15, 2007).

B. Background.

Many OSHA safety and health standards require employers to provide their employees with specific protective equipment, including personal protective equipment (PPE), when such equipment is necessary to protect employees from job-related injuries, illnesses, and fatalities. These requirements address PPE such as: hard hats, gloves, goggles, safety shoes, safety glasses, welding helmets and goggles, face shields, chemical protective equipment, and fall protection equipment. OSHA standards requiring PPE state that the employer is to provide such PPE, but some of these provisions do not state that the employer is to provide such PPE at no cost to the employee.

OSHA’s final rule for *Employer Payment for Personal Protective Equipment* adds explicit employer payment requirements to PPE provisions applicable to most industries, including the general industry PPE provisions at 1910. 72 F.R. 64341-64430 (November 15, 2007). The rule did not change existing OSHA requirements as to the types of PPE that must be provided. Instead, the rule merely clarified that employers must pay for PPE **required to comply with OSHA standards**, except in the limited cases specified in the standards. The final rule for *Employer Payment for Personal Protective Equipment* became effective on February 13, 2008. The compliance deadline was May 15, 2008. The Safety and Health Codes Board adopted OSHA’s final rule on February 28, 2008, with an effective date of June 1, 2008, and an implementation date of September 1, 2008. This Directive provides enforcement guidance on the payment responsibilities of employers under VOSH standards requiring the use of PPE.

The PPE payment regulatory text for general industry can be found at 1910.132(h)(1) through (h)(7). The provisions applicable to other VOSH Parts are noted below.

C. PPE that is required to be provided at no cost to employees.

PPE Payment Standards for Covered Industries	
General Industry	1910.132(h)(1) through (h)(7)
Shipyard Employment	1915.152(f)(1) through (f)(7)
Longshoring	1917.96(a) through (g)
Marine Terminals	1918.106(a) through (g)
Construction	1926.95(d)(1) through (d)(7)

1. Employers must provide at no cost to employees the PPE that is used to comply with the provisions in Parts 1910, 1915, 1917, 1918, and 1926 that require PPE.
2. Employers must provide at no cost to employees the PPE that is necessary to protect against the hazards that the employer is aware of as a result of any assessments required by those Parts.

In some provisions, such as 1910.132(d), there is an explicit requirement to perform a hazard assessment. In others, such as 1926.95(a), the requirement to provide PPE “wherever it is necessary by reason of hazards of processes or environment, chemical

hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact” implies a duty to determine whether such hazards exist.

3. Generally, employers must provide PPE at no cost to their employees.
 - a. CSHOs should determine all relevant factors that establish the existence of an employer-employee relationship. The nature and degree of control asserted over the work is one of many factors in examining whether an employer-employee relationship is present. Other factors include the level of skill required to perform effectively, the source of required instruments and tools, the location of the work, the duration of the relationship between the parties, the right of the employer to assign new projects to the individual, the extent of the individual’s control over when and how long to work, the method of payment, the individual’s role in hiring and paying assistants, whether the work is the regular business of the employer, the provision of employee benefits, and the tax treatment of the individual. If a difficult question arises, consult the Assistant Commissioner - Programs and the VOSH Division of Legal Support or the Attorney General’s Office.
 - b. As noted above, the final rule applies to general industry, shipyard employment, marine terminals, longshoring, and construction. The PPE payment requirements apply to all employers in these industries, including those with short-term employees, whether referred to as temporary employees, piece workers, seasonal employees, hiring hall employees, labor pool employees, or transient employees. The PPE payment rule does not apply to agriculture.
 - c. If an employer-employee relationship is established, then the employer must provide PPE at no cost to that employee. A truly self-employed “independent contractor” is not an “employee” under the VOSH FOM and is therefore not covered by VOSH standards. CSHOs should carefully scrutinize the nature and degree of control asserted over the means and methods of how the work is to be performed, to determine that employees involved in day to day activities are in fact independent contractors.
4. Employers must provide, at no cost to employees, metatarsal guards attachable to shoes when metatarsal protection is necessary (1910.132(h)(2)). If metatarsal protection is necessary under VOSH standards, and an employer requires employees to use metatarsal shoes instead of detachable guards, then the employer is required to provide the metatarsal shoe at no cost to the employee. If the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, then the employer is not required to pay for the metatarsal shoes or boots.
5. An employer must provide, at no cost to employees, upgraded PPE that the employer chooses to use to meet VOSH PPE requirements. VOSH standards set minimum requirements, but if employers choose a more expensive way to comply, then they have to provide the “upgraded” PPE at no cost to employees.

D. Examples of PPE that employers must provide at no cost to employees.

The list below provides examples of PPE items that an employer is required to provide at no cost to employees under the PPE payment rule in complying with an OSHA standard. This table is not intended to be exhaustive.

EXAMPLES OF PPE FOR WHICH EMPLOYER PAYMENT IS REQUIRED WHEN USED TO COMPLY WITH AN OSHA STANDARD

Metatarsal foot protection.
Special boots for longshoremen working logs.
Rubber boots with steel toes.
Shoe covers – toe caps and metatarsal guards.
Non-prescription eye protection.
Prescription eyewear inserts/lenses for full-facepiece respirators.
Prescription eyewear inserts/lenses for welding and diving helmets.
Goggles.
Face shields.
Laser safety goggles.
Firefighting PPE (helmet, gloves, boots, proximity suits, full gear).
Hard hats / Bump Caps
Hearing protection.
Welding PPE.
Items used in medical/laboratory settings to protect from exposure to infectious agents (aprons, lab coats, goggles, disposable gloves, shoe covers, etc.).
Items used in medical/laboratory settings to protect from exposure to infectious agents (aprons, lab coats, goggles, disposable gloves, shoe covers, etc.).
Non-specialty gloves: <ul style="list-style-type: none"> • Payment is required if they are PPE, such as for protection from dermatitis, severe cuts/abrasions. • Payment is not required if they are only for keeping clean or for cold weather (with no safety or health considerations).
Rubber sleeves.
Aluminized gloves.
Chemical-resistant gloves/aprons/clothing.
Barrier creams (unless used solely for weather-related protection).
Rubber insulating gloves.
Mesh cut-proof gloves, mesh or leather aprons.
Self Contained Breathing Apparatus, atmosphere-supplying respirators (escape only).
Respirators.
Personal fall protection.
Ladder safety device belts.
Climbing ensembles used by linemen (for example, belts and climbing hooks).
Window cleaners' safety straps.
Personal Flotation Devices (life jackets).
Encapsulating chemical protective suits.
Reflective work vests.

D. Some Exceptions to the Employer Payment Requirement.

1. **Non-specialty safety-toe protective footwear** if the employer allows the employee to wear it off the job site. (See 1910.132(h)(2); 1915.152(f)(2); 1917.96(b); 1918.106(b); 1926.95(d)(2)).

Examples:

Non- Specialty PPE or Safety Equipment:

Safety toe protective footwear (leather/steel toe shoes/boots).

Specialty PPE:

Rubber boots with steel toes.

2. **Non-specialty prescription safety eyewear** if the employer allows the employee to wear it off the job site. (See 1910.132(h)(2); 1915.152(f)(2); 1917.96(b); 1918.106(b); 1926.95(d)(2)).

Examples:

Non- Specialty PPE or Safety Equipment:

Prescription safety eyewear (ordinary).

Specialty PPE:

Prescription eyewear inserts/lenses for welding and driving helmets.

3. **Metatarsal shoes** (shoes with integrated metatarsal protection) as long as the employer allows the use of and provides, at no cost to employees, metatarsal guards attachable to shoes when metatarsal protection is required by OSHA standards. (See 1910.132(h)(3); 1915.152(f)(3); 1917.96(c); 1918.106(c); 1926.95(d)(3)).
4. **Logging boots** required by 1910.266(d)(1)(v). The logging standard does not require employers to pay for the logging boots required by 1910.266(d)(1)(v), but leaves the responsibility for payment open to employer and employee negotiation. The final PPE payment rule excludes this PPE from the employer payment requirement. (See 1910.132(h)(4)(i)).
5. **Everyday clothing.** Long-sleeved shirts, long pants, street shoes, and ordinary fabric or leather work gloves may help employees avoid workplace injury and have protective value; however, the final rule excludes this everyday clothing from the employer payment rule. (See 1910.132(h)(4)(ii); 1915.152(f)(4)(i); 1917.96(d)(1); 1918.106(d)(1); 1926.95(d)(4)(i)).
6. **Ordinary clothing** used solely for protection from weather. Employers are not required to pay for ordinary clothing, skin creams, or other items used solely for protection from weather such as winter coats, jackets, gloves, and parkas that employees would normally have to protect themselves from the elements. (See 1910.132(h)(4)(iii); 1915.152(f)(4)(ii); 1917.96(d)(2); 1918.106(d)(2); 1926.95(d)(4)(ii)).

NOTE: In the rare case that ordinary weather gear is not sufficient to protect the employee and special equipment or extraordinary clothing is needed to protect the employee from unusually severe weather conditions, the employer is required to pay for such protection. Clothing used in artificially-controlled environments

with extreme hot or cold temperatures, such as freezers, is not considered part of the weather gear exception.

7. Replacement PPE when the employee has lost or intentionally damaged the PPE.

Existing PPE standards require that the employer provide replacement PPE used to comply with OSHA standards as necessary, when the PPE no longer provides the protection it was designed to provide, or when the previously provided PPE is no longer adequate or functional. The final rule clarifies that when an employee has lost or intentionally damaged the PPE issued to him or her, an employer is not required to pay for its replacement and may require the employee to pay for such replacement. (See 1910.132(h)(5); 1915.152(f)(5); 1917.96(e); 1918.106(e); 1926.95(d)(5)).

8. Employee-owned PPE.

- a. This exception refers to PPE that employees already own and request to use (and are allowed by the employer to use) instead of the PPE that the employer provides at no cost to employees.
- b. This exception also refers to upgraded PPE that employees want to buy and use (and that the employer allows) instead of the PPE that the employer provides at no cost to employees.
- c. The PPE payment rule recognizes that employees may wish to use PPE they already own. If the employer determines that the PPE is adequate and allows them to use it instead of the one the employer has provided at no cost to employees, then the rule does not require the employer to reimburse the employee. However, the rule also makes clear that employers cannot require employees to provide their own PPE or to pay for their own PPE, unless such PPE is specifically exempted by the standard. The employee's use of PPE that he or she owns must be completely voluntary and not a condition of employment, continuing employment, or a condition for placement in a job. (See 1910.132(h)(6); 1915.152(f)(6); 1917.96(f); 1918.106(f); 1926.95(d)(6)).

NOTE: OSHA recognizes that in certain emergency situations, such as response to a natural disaster, where immediate action is required, it may be necessary for employers to hire or select employees already in possession of the appropriate PPE. Where employees provide their own protective equipment, employers have a duty under 1910.132(b) to ensure the adequacy of the equipment, including proper maintenance and sanitation of the equipment.

9. Upgraded and Personalized PPE.

- a. An employer does not have an obligation to pay for PPE requested by an employee that exceeds the PPE requirements, provided that the employer provides PPE that meets the standards at no cost to the employee.
- b. If the employer allows the employee to acquire and use upgraded or personalized PPE, then the employer is not required to reimburse the employee for the equipment, provided that the employer has provided adequate PPE at no cost to the employee.

- c. An employer is still required to evaluate an employee's upgraded or personalized PPE to ensure that it is: adequate to protect from hazards present in the workplace, properly maintained, and kept in a sanitary condition.

10. **Examples of PPE and Other Items Exempted from the Employer Payment Requirements.**

The list below provides some more examples of PPE and other items that an employer is *not* required to provide at no cost.

EXAMPLES OF PPE AND OTHER ITEMS EXEMPTED FROM THE EMPLOYER PAYMENT REQUIREMENTS

Non-specialty safety-toe protective footwear (such as, steel-toe shoes/boots).
Non-specialty prescription safety eyewear.
Sunglasses/sunscreen.
Sturdy work shoes.
Non-specialty slip-resistant, non-safety-toe footwear.
Lineman's boots.
Ordinary cold weather gear (coats, parkas, cold weather gloves, and winter boots).
Logging boots required under 1910.266(d)(1)(v).
Ordinary rain gear.
Back belts.
Long-sleeve shirts.
Long pants.
Dust masks and respirators used under the voluntary use provisions in 1910.134.
Items worn to keep employees clean for purposes unrelated to safety or health (denim coveralls, aprons).
Items worn for product or consumer safety (not employee safety and health). For example: hairnets worn solely to protect food products from contamination, that is not used to comply with machine guarding requirements; and plastic or rubber gloves worn solely to prevent food contamination during meal preparation (This would <i>not</i> include cut-proof gloves worn to prevent lacerations).
Items worn for patient safety and health; not employee safety and health.
Uniforms, caps or other clothing worn solely to identify a person as an employee.
Travel time and related expenses for employees to shop for PPE.

F. Permissible Use of PPE.

- 1. An employer may allow PPE to be used off of the job site. However, they still must provide the required PPE at no cost to employees, even if use of the PPE is allowed off-site.

NOTE: Some substance-specific OSHA standards require that PPE remain at the job site.

2. An employer may require that PPE provided at no cost to the employee remain at the worksite in, for example, lockers or other storage facilities.

NOTE: If an employer requires, for any reason, employees to leave their non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty safety eyewear at the worksite, then the employer must provide that PPE at no cost to employees.
3. Employers can use policies such as allowances, replacement schedules, and fair and uniformly enforced work rules to ensure that employees properly use and care for employer-provided PPE so long as the policies ensure that employees receive replacement PPE at no cost to them as required by the rule.
4. Recovery of PPE.
 - a. The rule does not prohibit the employer from requiring the employee to return the PPE (provided at no cost) upon termination of employment. If an employee quits his/her job and does not return the employer's PPE, then the employer may require the employee to pay for it, or take reasonable steps to retrieve the PPE.
 - b. Employers who employ short-term and part-time employees may require employees to return employer-owned PPE at the end of the day or when they terminate employment, and may use a deposit system or other mechanism to help ensure that such employees return the PPE.
5. Payment for Replacement PPE.
 - a. Employers are required to replace PPE following the criteria in OSHA's existing standards governing when PPE is required to be replaced. For example: "Hearing protectors shall be replaced as necessary," under 1910.95(i)(1) means that employers must replace worn out hearing protectors.
 - b. Employers must provide replacement PPE at no cost to the employee except when the employee has lost or intentionally damaged the PPE.
 - c. Employers do not have to bear the cost of replacing PPE that the employee has lost, even if it is a single instance. The PPE may be considered "lost" if the employee comes to work without the issued PPE.
 - d. The rule does not prohibit employers from sending employees home to retrieve the PPE or from charging an employee for replacement PPE when the employee fails to bring the PPE back to the workplace.
 - e. Employers are free to develop and implement workplace rules, such as reasonable and appropriate disciplinary policies, replacement schedules, and allowances, to ensure that employees have and use the PPE that the employer has provided at no cost to employees.
 - f. The employer has an obligation to pay for replacement PPE when the working conditions have changed such that PPE an employee has provided at his/her cost, and which was not previously required to comply with a VOSH standard, later becomes required by a VOSH standard.

- g. If the employee has provided PPE at his/her own cost that is no longer adequate, then the employer must pay for the replacement PPE that is required to comply with the rule, unless the employee voluntarily decides to provide and pay for his or her own replacement PPE, which may occur if the employee wants personalized or upgraded PPE.

However, under these circumstances:

- the employer is prohibited from requiring employees to provide their own PPE unless exempted from the payment standard; and
- the employer must pay for replacement PPE if the employee no longer volunteers his or her own PPE for workplace use.

G. Other PPE Guidance and Information.

1. **Electric Arc and Flame Resistant (FR) Clothing.**

It is noted that 1910.269 does not specifically require employers to protect employees who are exposed to momentary electric arc and related thermal hazards (i.e., exposure to open flame and radiant heat) through the use of flame-resistant clothing. However, the employer must ensure that each employee who is exposed to the hazard of flames or electric arcs does not wear clothing that, when exposed to flames or electric arcs could increase the extent of injury that would be sustained by the employee.

NOTE: On June 15, 2005, OSHA proposed to amend the existing standards in Parts 1910 and 1926 for Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment (70 F.R.34821-34980). OSHA proposed a rule that would require employers to provide FR clothing under certain conditions. If OSHA determines in that rulemaking that FR clothing is required, then it will become subject to the provisions of the PPE payment rule, unless the standard specifically exempts FR clothing from employer payment.

2. **Other Flame Resistant (FR) Clothing.**

Employers are required to provide, at no cost to employees, FR clothing for applications such as, but not limited to, the handling of flammable chemicals.

CSHOs shall cite 1910.132(a), for failure to provide and ensure the use of flame-resistant clothing necessary to protect employees from burns due to flash fires. For more information regarding OSHA's enforcement policy for flash fires refer to the following hyperlink, *March 19, 2010 Enforcement Policy for Flame-Resistant Clothing in Oil and Gas Drilling, Servicing, and Production related Operations* CSHOs shall cite 1910.132(b), for failure to ensure that employee-owned FR clothing is properly maintained and sanitary.

CSHOs shall cite 1910.132(c), for failure to provide FR clothing that is of safe design and construction for the work being performed. CSHOs may refer to consensus standards such as *NFPA 2112, Standard on Flame-Resistant Garments for Protection of Industrial Personnel Against Flash Fire*, and *NFPA 2113, Standard on Selection, Care, Use, and Maintenance of Flame-Resistant Garments for Protection of Industrial Personnel Against Flash Fire*.

IX. Citation Policy for PPE Payment.

A. Part 1910 Standards Requiring PPE at No Cost to the Employee.

1. Section 1910.132(h)(1), *Payment for protective equipment*. Except as provided by paragraphs (h)(2) through (h)(6) of this section, the protective equipment, including personal protective equipment (PPE), used to comply with this part, shall be provided by the employer at no cost to employees. If a standard requiring the use of PPE addresses the issue of payment, then that specific standard shall be cited if the employer fails to provide the required PPE at no cost to employees. Below are two examples of 1910 standards that address the issue of payment for PPE.
2. Section 1910.134(c)(4), *Respiratory Protection*. Where respirators are required, respirators and requirements associated with their use, such as fit-testing, maintenance, training, and medical evaluations, must be provided at no cost to employees. However, the employer would not be required to incur any costs associated with voluntary use of filtering facepieces other than providing a copy of 1910.134 Appendix D to each user. If the employer allows the voluntary use of respirators other than filtering facepieces, then costs associated with ensuring that the respirator itself does not create a hazard, such as medical evaluations and maintenance must be provided at no cost to the employee.
3. Section 1910.146(k)(2)(i), *Permit-required Confined Spaces*. The employer is required to provide the PPE needed to conduct permit space rescues safely and train affected employees so they are proficient in the use of that PPE, at no cost to employees.

B. Citations for Employer Failure to Pay under Part 1910.

1. Employers shall be cited under 1910.132(h)(1) whenever they charge an employee for the cost of required PPE they have provided.

Employers shall be cited under 1910.132(h)(5) when they have failed to pay for replacement PPE at no cost, except in cases where the employee has lost or intentionally damaged the PPE. Citations shall be issued under 1910.132(h)(6) when the employer requires an employee to use PPE he or she already owns, unless the PPE is excepted by paragraphs (h)(2) through (h)(5).
2. In cases where an employer is cited for failing to provide PPE, an additional citation should not be issued for failure to pay for the PPE.
3. Classifications and grouping violations of 1910.132(h) should be in accordance with VOSH Field Operations Manual (FOM), *Chapter 10, Violations*.
4. Abatement dates for violations of 1910.132(h) shall normally not exceed 30 days.

C. Citation Scenarios.

The following are examples of potential workplace conditions that would lead to a citation under 1910.132(h)(1):

1. The employer has provided the PPE required by an OSHA standard under Part 1910, but charges the employee for the equipment by deducting the costs of the PPE from the employee's pay.

The employer would be cited for a violation of 1910.132(h)(1).

2. The employer provides and pays for the initial PPE in accordance with another VOSH standard, but later charges the employee for replacement PPE.

Provided that the employee has not lost or intentionally damaged the PPE, the employer would be cited for a violation of 1910.132(h)(5).

3. The employee initially purchases the required PPE and is reimbursed by the employer several months later.

Reimbursement systems that delay payment of PPE should not exceed one billing cycle or one pay period. The employer would be cited for a violation of 1910.132(h)(1).

4. Initially, an employee voluntarily provides his/her own PPE that the employer would have been required to provide at no cost; however, the employee later decides not to continue using the PPE for work. The employer purchases the required PPE for the employee, but charges the employee for it.

The employee may voluntarily use their own equipment without employer reimbursement, provided that the PPE is adequate and the employer allows its use. However, an employee may elect to stop volunteering their own equipment. If the employer charges the employee for replacing this PPE, then the CSHO should cite for a violation of 1910.132(h)(5).

D. PPE Payment Questions and Answers.

1. **Are employers required to pay for lineman belts and hooks when used to comply with an OSHA standard?**

Yes. Lineman belts and hooks provide protection to employees from falls while climbing and/or performing work. This equipment is considered PPE and employers must pay for it when used to comply with a VOSH standard.

2. **Electrical employees may use fiberglass poles known as “hot sticks” to push over power lines when they are working on the lines. Are these poles regarded as PPE?**

No. While some specific and specialized tools have protective characteristics, such as electrically insulated “hot sticks” used by electric utility employees to handle live power lines, this equipment is more properly viewed as an engineering control that isolates the employee from the hazard. Therefore, they are not covered by the PPE payment standard. However, because they are an engineering control method, employers must pay for this equipment.

3. **As it pertains to prescription eyewear, would non-specialty safety eyewear furnished with permanent side shields be paid for by the employer?**

The PPE payment rule specifically exempts non-specialty prescription safety eyewear. Non-specialty safety eyewear worn to protect an employee from impact hazards typically has removable or permanent side shields to provide this protection. Employers are not required to pay for prescription safety eyewear with removable or permanent side shields as long as the employer provides safety eyewear that fits over the employee’s

prescription lenses. (See preamble to 72 F.R. 64341-64430, *Employer Payment for Personal Protective Equipment; Final Rule*, November 15, 2007.)

4. **In some situations, employees are required to wear shoes with a slip-resistant sole that are uniform in color. The employees wear the shoes to and from work and in other places outside of the work environment. These shoes are indistinguishable from ordinary “street” shoes and many different types of shoes with rubber soles. These employees are not exposed to hazards such as crushing or penetrating injuries or falling or rolling objects, requiring safety shoes with steel toes or metatarsal protection. In such cases, would the slip-resistant shoes required here rise to the level of safety footwear with additional protection or more specialized protection, and, therefore, must be provided at no cost?**

No. The employer is not required to pay for non-specialty shoes that offer some slip-resistant characteristics, but are otherwise ordinary clothing in nature.

5. **What are some examples of equipment that the standard does not require employers to pay for?**

Employers are not required to pay for items worn to keep an employee clean for purposes unrelated to safety or health (e.g., denim coveralls and aprons worn solely to prevent clothing and/or skin from becoming soiled and unrelated to safety or health). In addition, the employer does not have to pay for uniforms, caps, or other clothing worn solely to identify a person as an employee. (See section XII.E.10, *Examples of PPE and Other Items Exempted from the Employer Payment Requirements* for additional examples.)

6. **When an employer decides to use flame-resistant clothing (FRC) to protect employees from any type of fire exposure hazard (e.g., flash fire or arc flash) is the employer required to pay for the FRC?**

Yes, the employer is required to provide, ensure use, and maintain protective clothing in a sanitary and reliable condition whenever it is necessary by reason of hazards, capable of causing injury in any part of the body, as addressed in 1910.132(a). Where employees are exposed to electrical hazards (e.g., substations or electrical panels that present the potential for arc flash) refer to Safeguards for personnel protection. - 1910.335 and 1910.132(a) for PPE. Where there are flash fire hazards in General Industry occupations e.g., in the oil and gas industry and in petroleum-chemical plants, the employer is required to pay for FRC as indicated in 1910.132(h)(1). More information relating to FRC use in the oil and gas industry, including gas well drilling, servicing and production related operations, can be found in OSHA’s memorandum dated *March 19, 2010 Enforcement Policy for Flame-Resistant Clothing in Oil and Gas Drilling, Servicing, and Production related Operations*.

X. PPE Standards Reference Table.

The following table is provided to assist in the identification of applicable OSHA standards that require PPE.

OSHA Standards that Require PPE

General Industry		Shipyard	Marine Terminals	Longshoring	Construction	
1910.28 Scaffolding	1910.268 Telecomm.	1915.12 Precautions & order of testing	1917.22 Hazardous cargo.(2) (See 1917.2(p)).	1918.85 Containerized Cargo	1926.28 Personal protective equipment	1926.353 Ventilation and protection in welding
1910.66 Powered Platforms	1910.269 Electric PG/TD	1915.13 Cleaning & other Cold Work	1917.23 Hazardous atmospheres and substances. (See also 1917.2(r)).	1918.88 Log Operations	1926.52 Occupational noise exposure	1926.354 Welding, cutting and heating
1910.67 V/M Ele/Rot Platforms	1910.272 Grain Handling	1915.15 Toxic cleaning solvents	1917.25 Fumigants, pesticides, insecticides and	1918.93 Hazardous Atmospheres	1926.55 Gases, vapors, fumes	1926.416 General requirements
1910.94 Ventilation	1910.333 Selection / Use	1915.33 Chemical paint	1917.26 First aid and lifesaving facilities	1918.94 Ventilation and Atmospheric	1926.57 Ventilation	1926.451 General requirements
1910.95 Occup. Noise	1910.335 Safeguards for PPE	1915.34 Mechanical Paint Removers	1917.49 Spouts, chutes, hoppers, bins	1918.101 Eye and Face Protection	1926.60 Methylene-dianiline	1926.453 Aerial lifts
1910.119 PSM	1910.1000 Air Contamination	1915.35 Painting	1917.73 Terminal facilities handling fish	1918.102 Respiratory protection	1926.62 Lead	1926.501 Duty to have fall protection
1910.120 Haz Was E/R	1910.1001 Asbestos	1915.51 Ventilation & Protection in Welding, cutting & heating	1917.91 Eye and face protection	1918.103 Head Protection	1926.64 PSM HAZ MAT	1926.502 Fall protection systems
1910.132 Gen PPE	1910.1003 Carcinogens	1915.53 Preservative coating Welding, cutting & heating	1917.92 Respiratory protection.	1918.104 Foot Protection	1926.95 Criteria for PPE	1926.550 Cranes and Derricks
1910.133 Eye/Face	1910.1017 Vinyl Chloride	1915.91 House-keeping	1917.93 Head protection	1918.105 Other Protective Measures	1926.96 Occupational Foot Protection	1926.551 Helicopters

General Industry		Shipyard	Marine Terminals	Longshoring	Construction	
1910.134 Respirator	1910.1018 Inorganic Arsenic	1915.73 Guarding of Deck/Edges	1917.94 Foot protection		1926.101 Hearing Protection	1926.605 Marine operations
1910.135 Head Protection	1910.1025 Lead	1915.77 Working surfaces	1917.95 Other protective measures		1926.102 Eye and Face Protection	1926.651 Specific Excavation
1910.136 Foot Protection	1910.1026 Chromium	1915.97 Health & Sani	1917.118 Fixed ladders		1926.103 Respiratory Protection	1926.701 Concrete general requirements
1910.137 Ele. Protect Dev	1910.1027 Cadmium	1915.135 Powder actuated fastening tools.	1917.126 River banks		1926.104 Safety belts, lifelines, and lanyards	1926.760 Fall protection
1910.138 Hand Protection	1910.1028 Benzene	1915.152 General Requirements	1917.152 Welding, cutting (HotWork)		1926.105 Safety nets	1926.800 Underground Construction
1910.146 PRCS	1910.1029 Coke	1915.153 Eye and face protection	1917.154 Compressed Air		1926.106 Working over or near water	1926.951 Tools and protective equipment
1910.156 Fire Brig.	1910.1030 Bloodborne	1915.154 Respiratory protection			1926.201 Signaling	1926.955 Overhead lines
1910.160 Fixed Exting	1910.1043 Cotton Dust	1915.155 Head Protection			1926.250 Storage	1926.959 Lineman's body belts
1910.183 Helicopters	1910.1044 Dibromo/chloropropane	1915.156 Foot Protection			1926.300 General Requirements	1926.1053 Ladders
1910.218 Forging Mach	1910.1045 Acrylonitrile	1915.157 Hand & Body Protection			1926.302 Powered-operated hand tools	1926.1101 Asbestos
1910.242 Hand/Power Tools	1910.1047 Ethylene Oxide	1915.158 Lifesaving equipment			1926.304 Wood-working tools	1926.1126 Chromium

General Industry		Shipyard	Marine Terminals	Longshoring	Construction	
1910.243 Guard Port/Power Tools	1910.1048 Formaldehyde	1915.159 Personal Fall Arrest Systems				1926.1127 Cadmium
1910.252 Welding Gen	1910.1050 Methylene- dianiline	1915.504 Fire Watches				
1910.261 Pulp/ Paper Mill	1910.1051 Butadiene	1915.505 Fire Response				
1910.262 Textiles	1910.1052 Methylene Chloride	1915.506 Hazards of fixed extinguishing systems on board vessels and vessel sections				
1910.265 Sawmills	1910.1096 Ionizing Radiation	1915.507 Land-side fire protection systems				
1910.266 Logging Operations	1910.1450 Occupational Exposure to hazards chemicals in labs	1915.1001 Asbestos				

Appendix A

Interpretation Letters Addressing 1910.132

Standard #	Date	Description	Name
1910.132	7/6/05	Acceptability of a fixed ramp with a one-in-four slope on an industrial conveyor.	Podlovsky
1910.132	4/3/81	Applicability of Abrasive Wheel Machinery Guarding Requirements to Scotch-Brite Brand Wheels and Brushes Manufactured by the 3-M Company.	Hayes Bell
1910.132	1/29/04	Concern of potential adverse effects from latex by consumers and health care patients with Hevea Natural Rubber Latex Allergy.	Spiker
1910.132	8/07/07	Determining the presence of blood in mixture that comprises raw sewage.	Cooper
1910.132	5/14/07	Employer liability and payment requirements for prescription protective eyewear.	Sklar
1910.132	5/1/08	Employer payment for lineman belts and hooks when the equipment is used to comply with an OSHA standard.	Niedenthal
1910.132	10/3/80	Employer not requiring employees that are pouring iron to wear protective clothing, may be cited under 1910.132 (a)	Cosbey
1910.132	4/14/93	Evaluation and use of radiofrequency protective clothing.	Stanley
1910.132	1/26/94	Exemption from wearing hard hats.	Kalsi
1910.132	6/10/99	Fall protection and foot protection for power line workers.	Graham
1910.132	1/28/97	Fall protection for the entertainment industry under the OSH Act of 1970.	DeLawyer
1910.132	3/27/98	Fire retardant PPE requirements and PPE hazard assessment.	Hopper
1910.132	7/25/03	General Duty Clause (5(a)(1)) citations on multi-employer worksites; NFPA 70E electrical safety requirements and personal protective equipment.	Brown
1910.132	6/26/85	Gloves are required for employees handling chloropicrin; Arsenic containing pesticides and wood preservatives are not within the scope for the inorganic arsenic standard.	Lake
1910.132	4/17/92	Hazards to and personal protective equipment for	Nowell

Standard #	Date	Description	Name
		hands and torsos of retail meat cutters.	
1910.132	12/2/91	Hazwoper training in hospitals.	Andree
1910.132	10/2/00	Hearing protection and the responsibility for paying for the hearing protectors including replacement devices/parts.	Nowell
1910.132	9/11/95	Interpretation of OSHA requirements for personal protective equipment to be used during marine oil spill emergency response operations.	White
1910.132	7/3/95	Interpretation of the Personal Protective Equipment standard.	Allen
1910.132	12/7/95	Interpretation of the electric power generation, transmission, and distribution standard.	White
1910.132	8/11/95	OSHA PPE standard requirements for hazard assessment and employee training and the OSHA HAZWOPER standard requirements.	Markelz
1910.132	11/14/06	OSHA requirements for warning signs and protection from electric-arc-flash hazards and compliance with NFPA 70E-2004.	Linhard
1910.132	6/30/1992	OSHA rules pertaining to the wearing of hard hats by employees who are members of certain religious groups.	Howes
1910.132	11/20/91	Occupational protective footwear for molten metal workers in the foundry industry.	Syptak
1910.132	08/25/04	Payment for Personal Protective Equipment (PPE) that is required to be provided by 1910.132.	Milleson
1910.132	03/19/09	Payment for static dissipative safety-toe footwear for working with flammable liquids and products.	Banaszak
1910.132	09/20/93	Personal protective equipment, general requirements and employer responsibility.	Zebor
1910.132	07/03/07	Requirement for employer to assess potential hazards of handling trailer debris to provide necessary PPE and hazard communication information to affected employees.	Poulos
1910.132	03/07/06	Requirement for flame-resistant clothing in petrochemical plant covered by PSM.	Zemen
1910.132	08/11/94	Requirements for emergency eyewash stations in retail auto parts stores.	Raiford
1910.132	09/05/02	Respiratory protection requirements for hospital staff decontaminating chemically contaminated patients.	Roth
1910.132	03/12/96	Scope of logging standard -- 1910.266.	Miles

Standard #	Date	Description	Name
1910.132	12/10/91	Sharp knives and utensils in the workplace.	Grassley
1910.132	03/31/94	Standard requirements for eyewash and shower equipment, personnel and other protective equipment and air circulation fans, used in an automotive battery charging area.	Caputo
1910.132	06/05/85	Standards applicable to Bell Industries "Carb-Cutter" powered tool.	Novascone
1910.132	01/23/95	The application of the Personal Protective Equipment standard to PPE hazard assessment and training for laboratory and clinical health care workers.	Miller
1910.132	05/07/92	The correct testing procedure for tree-trimming saddle belts.	Kloster
1910.132	04/29/82	The employer shall make the appropriate safety footwear available.	Miles
1910.132	09/10/92	The use of Billy Pugh baskets in the fishing and fish processing industry.	Clark
1910.132	11/01/93	The use of a crane near overhead power lines.	Schaffner
1910.132	08/22/77	The wearing of hard hats.	Coufal
1910.132	11/21/91	The wearing of leather shoes rather than leather sneakers or deck shoes while operating vehicles.	Byrd
1910.132	05/04/00	Trainee signatures are not required to verify training; U.S. Postal Service is covered by the OSHAct.	Ferranto
1910.132	12/02/02	Training and PPE requirements for hospital staff that decontaminate victims/patients.	Hayden
1910.132	10/22/92	Use of personal protective equipment by electric utility linemen.	Brown
1910.132	09/11/96	Voluntary safety and health audits under the Occupational Safety and Health Act.	White
1910.132	07/17/06	Wearing "Crocs" brand shoes with a partially open heel and a covered toe in a pharmacy setting.	Patel
1910.132	08/28/03	Wearing of open-toed shoes in an office environment.	Siemon
1910.132	01/25/07	Wearing short-sleeved shirts while performing a thermal spray operation with exposure to hexavalent chromium fumes.	Crawmer
1910.132	01/17/91	Decision in The Hardaway Co. v. Dole Case.	Clark

Standard #	Date	Description	Name
1910.132	09/13/01	Fall protection requirements for both residential and commercial HVAC systems; clarification of confined spaces.	Vance
1910.132	05/23/05	Fall protection requirements when working from ladders in the telecommunications industry.	Hazelton
1910.132	10/04/84	Hazards requiring foot protection and criteria for protective footwear.	Keiler
1910.132	12/02/76	OSHA regulations governing the use of personal protective equipment.	Patterson
1910.132	08/28/98	PPE for overexposure to the sun's radiation.	Asaff
1910.132	06/19/00	PPE must be provided for serious sun exposure hazards.	Markland
1910.132	03/07/06	Requirement for flame-resistant clothing in petrochemical plant covered by PSM.	Zemen
1910.132	02/04/04	Requirements for providing seatbelts for drivers whose size precludes their using seatbelts.	Kunz
1910.132	05/13/86	The acceptability of manhole entries through concentric cone or eccentric cone concrete pipe transition sections to underground workplaces.	Felton
1910.132	04/16/98	Using sunscreen to shield worker exposure to sun's radiation.	Wright
1910.132	08/19/98	Workers must be protected from hazards of heated (hot) surfaces.	Lodge
1910.132	03/08/02	Acceptable use of single point anchor systems for window cleaning operations.	Strats
1910.132	11/11/98	Assessing hazards to select eye and respiratory protection.	Miles
1910.132	10/18/96	Enforcement of Fall Protection on Moving Stock.	Miles
1910.132	04/02/97	OSHA standard for rung spacing on fixed industrial ladders and PPE in powered industrial vehicle battery changing.	DeWitt
1910.132	04/14/08	Request to provide list of corrosive materials and concentrations requiring use of emergency eyewashes and showers.	Page
1910.132	09/05/02	Respiratory protection requirements for hospital staff decontaminating chemically contaminated patients.	Roth
1910.132	12/02/02	Training and PPE requirements for hospital staff that decontaminate victims/patients.	Hayden

Standard #	Date	Description	Name
1910.132	08/28/03	Wearing of open-toed shoes in an office environment.	Siemon
1910.132	12/22/08	Requirements of the HCS and the employer's ability to rely on a manufacturer's hazard determination.	Fox
1910.132	09/05/02	Respiratory protection requirements for hospital staff decontaminating chemically contaminated patients.	Niedenthal
1910.132	12/02/02	Training and PPE requirements for hospital staff that decontaminate victims/patients.	Hayden
1910.132	05/01/08	Employer payment for lineman belts and hooks when the equipment is used to comply with an OSHA standard.	Niedenthal
1910.132	03/16/09	Payment for body belts, positioning straps, and pole and tree climbers.	Theis
1910.132	03/19/09	Payment for static dissipative safety-toe footwear for working with flammable liquids and products.	Mattiford
1910.132	03/16/09	Payment for body belts, positioning straps, and pole and tree climbers.	Banaszak
			Mattiford
			Theis

Interpretation Letters addressing 1910.133

Standard #	Date	Description	Name
1910.133	5/2/98	Requesting consideration of your integral one piece lenses product as meeting the intent of the OSHA Eye and Face Protection standards.	Fesi, Jr
1910.133	3/16/88	OSHA has determined that your product, the 1910S-clear 1900 series Tuff-Spec safety spectacle does provide protection equivalent to that provided by eye protection which meets all the requirements of ANSI Z87.1-1968. Therefore, OSHA would consider employers using this	Code
1910.133	10/13/88	Gentex Shade 2.0 infrared product, as meeting the intent of the Occupational Safety and Health Administration (OSHA) standards.	Fesi, Jr
1910.133	1/29/07	Detachable side protectors (e.g., clip-on or slide-on side shields) that meet the pertinent requirements of the section are acceptable.	Reynolds

Standard #	Date	Description	Name
1910.133	8/7/84	The use of a tint in safety glasses in the workplace.	Chopek, Jr
1910.133	5/14/07	Employees who wear prescription glasses wear a larger bulkier type of safety glasses over their prescription glasses.	Sklar
1910.133	4/2/97	Clarification of two safety concerns, rung spacing on fixed ladders and personal protective equipment (PPE).	DeWitt
1910.133	2/13/89	Consideration of the Encon Tuff-Spec 1990 FT-Collection safety spectacles.	Wells
1910.133	9/3/86	Eye protective device called "Type 3" regarding Eye and Face Protection standard.	Koslesky
1910.133	10/21/85	OSHA has determined that your product, the 1910S-clear 1900 series Tuff-Spec safety spectacle does provide protection equivalent to that provided by eye protection which meets all the requirements of ANSI Z87.1-1968.	Kline
1910.133	8/30/85	OSHA has determined that your product, the Gleneagle spectacle with 2-mm thick polycarbonate plano lenses, does provide protection which meets all the requirements of ANSI Z87.1-1968.	Kaufman
1910.133	7/17/85	OSHA's standards at [29 CFR 1910.133(b)(2)] provide that "design, construction, testing, and use of devices for eye and face protection shall be in accordance with American National Standard for Occupational and Education Eye and Face Protection, Z87.1-1968."	Heaps
1910.133	6/5/85	(OSHA) standards applicable to a Bell Industries "Carb-Cutter".	Novascone
1910.133	11/19/82	Regarding the wearing of photo-grey safety lenses.	Glenn
1910.133	4/14/08	Regarding eyewash and shower facilities.	Page
1910.133	11/11/98	Regarding advice on the use of eye protection and respiratory protection in your studio where you produce glass beads.	Georgopoulos
1910.133	9/29/94	Clarification of the 29 CFR Subpart I and Subpart S requirements as they apply to electrical workers who wear glasses.	Ingram

Standard #	Date	Description	Name
1910.133	8/11/94	OSHA does not have specific standards requiring emergency eyewash for the protection of employees working in retail auto parts stores and handling automobile batteries.	Raiford
1910.133	3/31/94	OSHA does not have specific standards for commercial battery shops; however, the standard at 29 CFR 1910.178(g) requires certain precautions to be taken when charging electric batteries of powered industrial trucks.	Caputo
1910.133	8/13/94	OSHA has determined that your product does provide protection equivalent to that provided by eye protection which meets all the requirements of ANSI Z87.1-1968.	LaMarre
1910.133	8/13/94	Clarification regarding OSHA's position on the selection of air purifying respirators (APRs) for gases and vapors with poor warning properties, particularly the common diisocyanates such as Toluene-2,4-diisocyanate (TDI), Hexamethylene-1,6-diisocyanate (HDI) and Methylene bisphenyl isocyanate (MDI).	Janssen
1910.133	4/18/97	(OSHA) does not approve or endorse products.	Christensen
1910.133	7/3/95	Requesting an interpretation of our Personal Protective Equipment standard, 29 CFR 1910.132-.138.	Esquire
1910.133	10/10/90	Regarding the acceptability of your emergency eye and face wash products and their compliance with OSHA standards.	Allison
1910.133	4/8/83	Clarification regarding light duty pneumatic operated hand held tackers (staplers) which are not equipped with a safety release lever to prevent fastener ejection.	Stanley
1910.133	10/22/82	OSHA Standards applicable to eye protection (ANSI Z87.1-1968) during the welding operation the use of contact lenses is acceptable.	Lake
1910.133	12/9/76	It is recommended that you provide safety glasses with permanently attached side shields.	Pryde

Interpretation Letters addressing 1910.134

Standard #	Date	Description	Name
1910.134	11/13/1984	Respiratory protection from ethylene oxide.	Fenerty
1910.134	3/24/1987	OSHA's acceptance of the Biopak 60P and Biopak 30P for fire-fighting is that these rebreathers are positive pressure devices.	Russell
1910.134	3/7/2003	Employer cannot permit respirators with tight-fitting facepieces to be worn by employees who have facial hair.	Senator Levin
1910.134	5/1/2008	Oxygen-deficient atmosphere requirements in the Respiratory Protection Standard.	Senator Sununu
1910.134	5/10/2007	Clarification of OSHA's asbestos standards for general industry and construction and the respiratory protection standard as applied to medical surveillance of employees.	Rafferty
1910.134	10/22/1997	OSHA is not a respirator testing and approval agency.	Reandean
1910.134	10/16/1998	A review of the medical evaluation portion of your company's respiratory protection program to determine compliance with OSHA's new Respiratory Protection Standard, 29 CFR 1910.134.	Beaujon
1910.134	2/5/2004	A health care facility must perform fit testing for employees who must wear a respirator for protection against Mycobacterium tuberculosis (M. tuberculosis), SARS, Smallpox and Monkeypox.	Friedman
1910.134	12/2/1991	Regarding the training of a hospital maintenance worker who is expected to respond to ethylene oxide gas leaks.	Andree
1910.134	7/18/1996	Your inquiry requested written clarification of issues related to "incipient stage fire brigades."	Grisham
1910.134	7/3/1995	Requesting an interpretation of our Personal Protective Equipment standard, 29 CFR 1910.132-.138.	Allen
1910.134	1/9/2009	Conflict preemption precludes state courts from finding that OSHA-required, respirators do not meet (NIOSH) certification.	Shipp
1910.134	7/12/2006	You indicated in your letter that your consulting group provides environmental and safety consultation in the PSM area.	Palmer

Interpretation Letters addressing 1910.135

Standard #	Date	Description	Name
1910.135	7/13/1993	Variances for Head Protection.	Shaw
1910.135	6/25/2002	The use of aluminum hard hats.	Harper
1910.135	7/25/2003	Clarification on the Multi-Employer citation policy.	Brown
1910.135	1/21/1980	The wearing of bump caps.	Conklin
1910.135	8/23/1983	Requirements for Head protection.	Sisisky
1910.135	11/30/1977	When to wear hard hats.	Speece
1910.135	1/26/1994	Exemption from wearing hard hats.	Kalsi
1910.135	7/3/1995	Hazard assessment for PPE.	Allen
1910.135	10/27/2009	Adhesive stickers, paints on protective helmets.	Cohan

Interpretation Letters addressing 1910.136

Standard #	Date	Description	Name
1910.136	8/6/2007	USPS will remove the statement from all of their documents, including the MMO-XXX-03, Attachment 4 document.	Thompson
1910.136	7/17/2006	Relating to the use of "Crocs" Brand shoes (those that have a partially open heel but a covered toe) in a pharmacy setting.	Patel
1910.136	8/28/2003	Regarding the wearing open toe shoes in an office.	Siemon
1910.136	2/18/1994	ANSI requires safety-toe safety shoes meet a compression test and an impact test.	Perry
1910.136	12/5/1985	OSHA standard for foot protection.	Robinson
1910.136	10/9/1994	Hazards requiring foot protection and criteria for protective foot wear.	Keiler

Interpretation Letters addressing 1910.137

Standard #	Date	Description	Name
1910.137	10/19/2006	FR Clothing and Eye Protection.	Ziobro
1910.137	12/27/1991	Insulated tools & Insulated Handling Equipment.	Magers
1910.137	8/12/1994	Rubber Insulating Gloves.	Dittmer
1910.137	7/12/1996	Retesting of rubber insulating matting	Luoma
1910.137	12/3/1991	Distance to Overhead Power Lines.	Miles
1910.137	7/28/2006	Work inside an electrical panel.	Kante

Interpretation Letters addressing 1910.138

Standard #	Date	Description	Name
1910.138	10/3/1997	Latex surgical exam gloves should not be used for skin protection against glutaraldehyde.	Duff
1910.138	4/7/1998	The Occupational Safety and Health Administration does not have any regulations requiring the use of latex gloves during the preparation and serving of food.	Sabas
1910.138	3/28/1995	Selection criteria used when providing hand protection.	Lueck