2025 OSHA Update

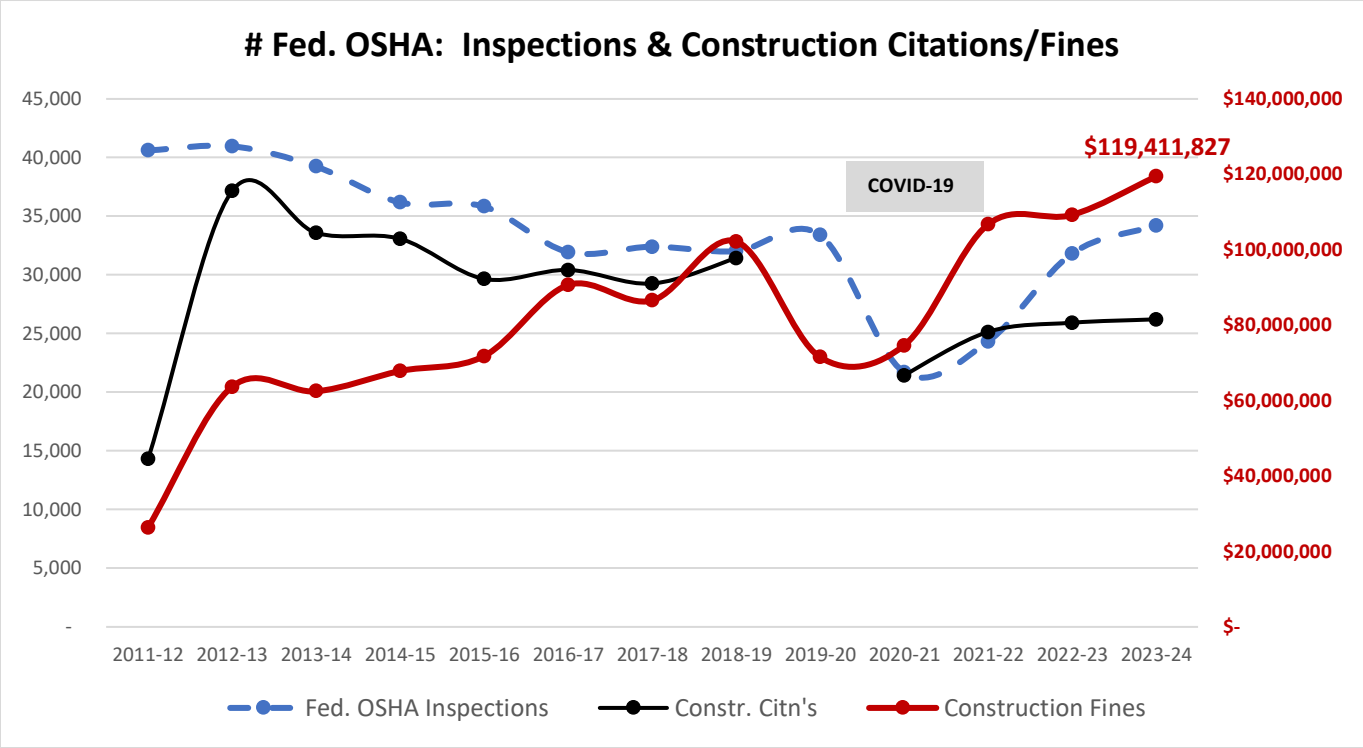
OVERVIEW

As with any change in administration, OSHA is in a transitional period. And although DOGE has taken a chaotic approach to reducing the size of government, new Department of Labor (DOL) leadership brings to the table both labor support and industry-appreciated practical safety experience.

Certainly, DOL staff will be cut. In the last administration of this president, OSHA staff was cut – mostly through attrition. In fact, over 40% of vacant OSHA leadership positions were left unfilled. But OSHA did not disappear... citations remained consistent & penalties rose.

This time around, the White House Office of Management & Budget (OMB) sent a memo to all federal agencies directing them to do the same… reduce the number of agency employees by eliminating positions, retirement, early retirement, reducing budgets, voluntary leave, etc.

- Will DOGE's approach affect the number of citations an inspector issues?
- Will agency attrition lead to less-experienced staff, hurried & inaccurate protocols, and disappearance of established OSHA area office relationships?



Most do not expect worker safety to take a back seat to industry insiders. Rather, it is expected that this leadership team will take a more practical approach that industry will find less burdensome... albeit with diminished resources.

The new Secretary of Labor (Lori Chavez-DeRemer) was a one-term US representative from Oregon. At the time, she was considered the most pro-labor Republican in the House (her father was a teamster). However, her extent of labor support is not universal.

She is expected to take an approach that will likely incorporate elements of:

- Less (or at least more flexible) regulation
- Employer outreach & collaboration
- Different enforcement priorities (# of inspections & insp. targets).

Some carry-over initiatives will be scrapped, some will hit a state of pause, and others may be tweaked or even allowed to proceed without change.

David Keeling has been nominated to lead OSHA. He is a former UPS & Amazon safety executive, but his nomination has remained in the Senate's Health, Education, Labor, & Pensions committee since Feb. 11.

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2025 OSHA Update

FINE INCREASES

Since 2015, most federal agencies have been authorized to annually adjust their civil penalties to account for inflation. This must be done by Jan. 15 of each year.

On Jan. 14, 2025, OSHA announced it would **raise its 2025 penalties by 2.6%**.

TYPE OF VIOLATION	2025 MAX. PENALTY
Serious Other-than-serious Posting requirements	$16,550 per violation
Failure to Abate	$16,550 per day beyond abatement date
Willful or repeat	$165,514 per violation

State-administered OSHA programs are required to adopt max. penalty levels that are at least as effective as OSHA's.

- Reductions for size of company, good faith, & prior history continue to be applied as in the past.
- Effect – even minor things are expensive!

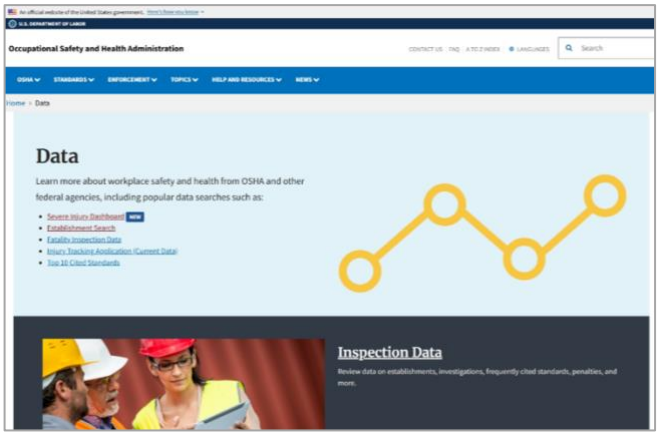
REPORTING OF INJURY & ILLNESS DATA

The following OSHA recordkeeping & data collection initiatives affect most employers:

OSHA Injury & Illness Recordkeeping (Forms #300 & #300A)	Most companies with more than 10 employees. Must post prior year's #300A log at worksite from Feb. 1 through Apr. 30.
Annual electronic reporting of OSHA recordkeeping info to OSHA	Most companies with more than 20 employees must submit OSHA #300A (summary log) data. Most companies with 100+ employees must also submit OSHA #300 (case-specific) info from the #300 log.
Public access to OSHA recordkeeping info that OSHA collects, including serious injury database	

https://www.osha.gov/recordkeeping

Most feel the requirements for annual electronic submittal of injury & illness recordkeeping information to OSHA, and its subsequent publishing on OSHA's website, does little or nothing to actually prevent injuries. This annual electronic reporting & subsequent publishing process will likely be reviewed to determine if the processes will be kept as-is, scrapped, or modified/diminished.



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2025 OSHA Update

REGULATORY INITIATIVES

Following are final or proposed OSHA rules relevant to construction.

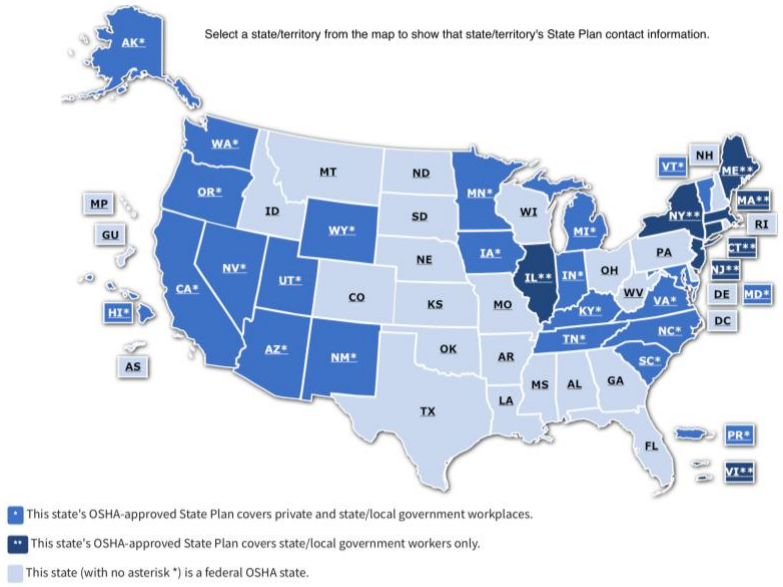
Most are minor in nature, but some less so… like the proposed Heat Injury & Illness Prevention standard. Expect an early determination as to whether this proposed standard will stand as-is, be modified, or scrapped. If the proposed regulation is scrapped, it will not just go away but rather enforcement would continue as has been done to this point, through OSHA's use of the General Duty Clause (GDC). https://www.osha.gov/laws-regs/oshact/section5-duties

- Final Rule (Dec. 2024) – PPE in Construction (must fit)
- Final Rule Stage – Update powered industrial truck standard to reflect current consensus standard (ANSI B56.1a-2018)
- **Proposed Rule – Heat Injury & Illness Prevention (informal public hearing scheduled June 16, 2025).** https://www.osha.gov/heat-exposure/rulemaking
- Proposed Rule – Silica (revisions to add medical removal protection)
- Proposed Rule – Welding in construction confined spaces (clarifications btw the confined space & welding standards)
- Proposed Rule – LOTO update (to address tech advancements)
- Proposed Rule – Communication tower safety (new standard)
- Proposed Rule – Amendments to crane standard (clarifications)

STATE OSHA PLANS

Many of you work in a number of different states – perhaps across the country. Don't forget that about half of the states have a state-administered OSHA program. This will require some homework in reviewing state-specific OSHA regs before you go.

And just because Federal OSHA may rollback or scrap certain regulations or enforcement initiatives doesn't mean that states will do the same.



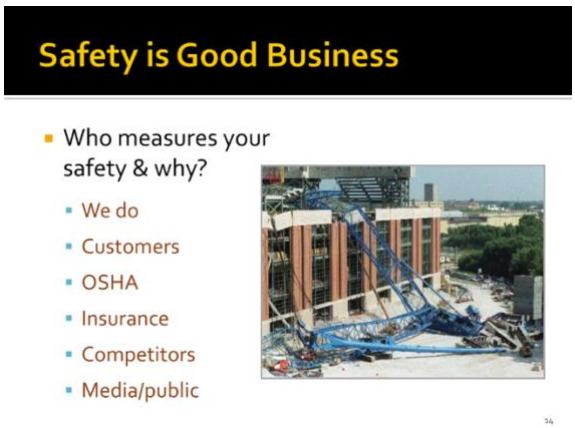
BIGGER PICTURE

Regardless of how the winds of regulatory change blow, remember that we do safety for three main reasons:

- To survive & provide
- It's good business
- It's the law

Note that OSHA is reason #3.

Many of you must qualify to bid certain projects… or follow strict project-specific safety requirements. These projects tend to pay better. What criteria must you meet to get the work & stay onsite?



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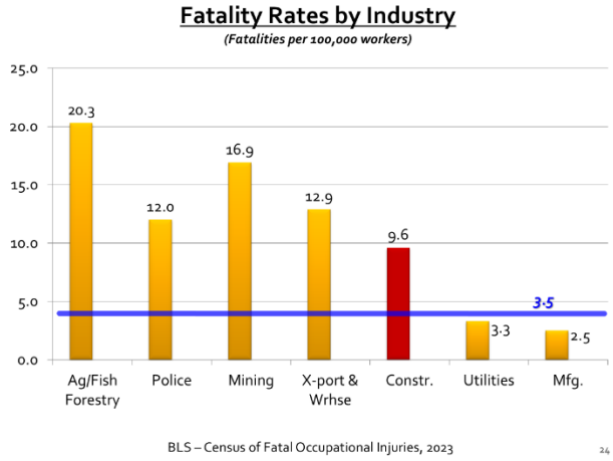
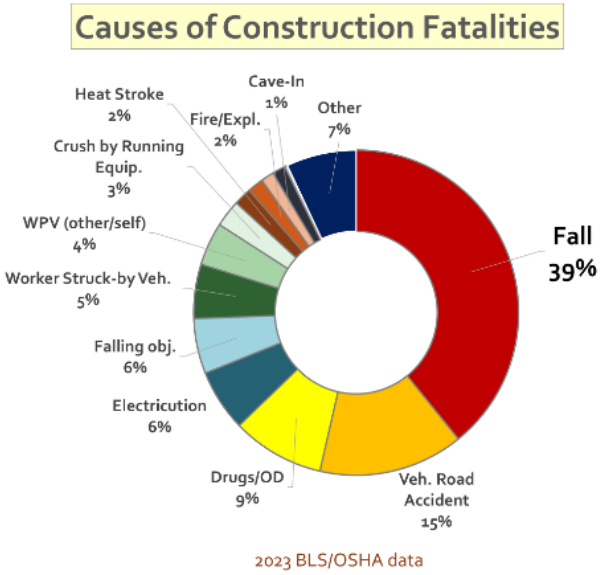
2025 OSHA Update

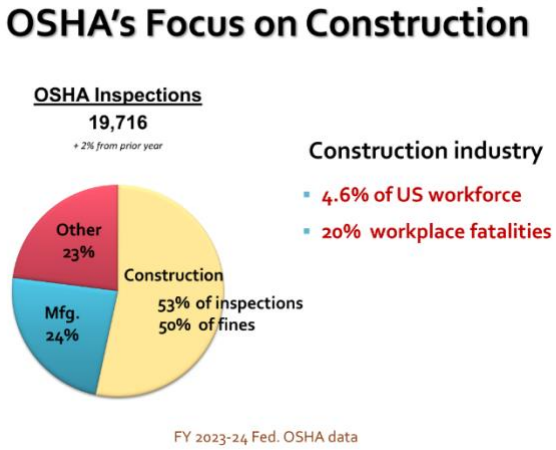
OSHA FOCUS ON CONSTRUCTION

Regardless of the regulatory process, certain data is sure to provide guidance as to how OSHA will utilize its resources.

- Causes of death in construction
- OSHA's National Emphasis Programs (NEPs)
- OSHA Regional Emphasis Programs (LEPs)
- OSHA most-frequently cited



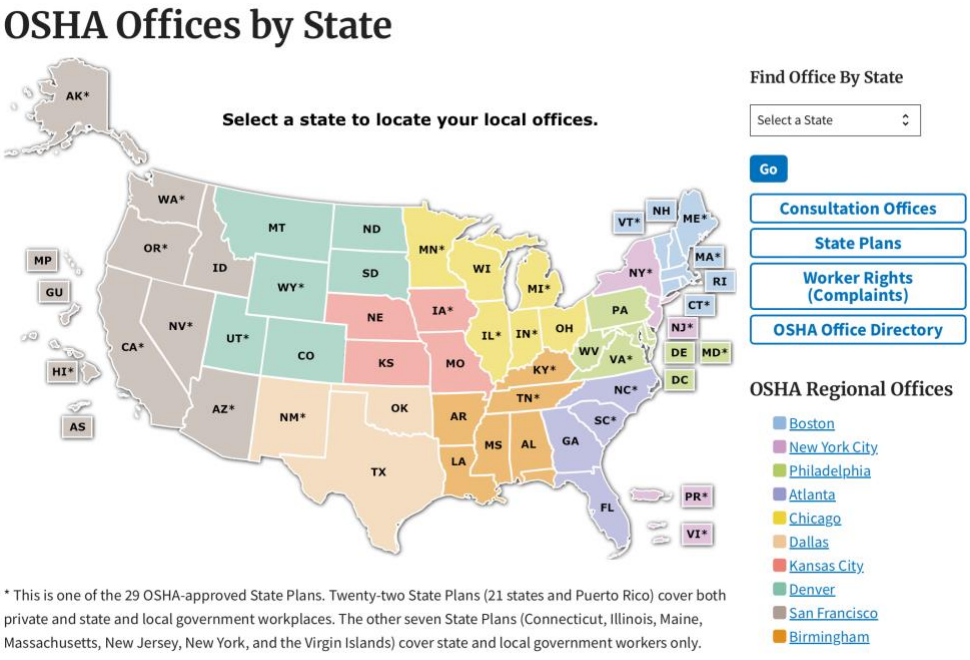




OSHA NATIONAL EMPHASIS PROGRAMS FOR CONSTRUCTION

https://www.osha.gov/enforcement/directives/nep

https://www.osha.gov/enforcement/directives/lep



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CONSTRUCTION INDUSTRY - Top 30 Most Frequently Cited OSHA Standards

as of 1/3/2025

Listed below are the standards cited by Federal OSHA for the construction industry during the period October 2023 through September 2024. Penalties shown reflect current rather than initial amounts.

Standard	Citations	% Chg.	$ Penalty	Citation Description	Ave. per citation
			+ 9.3%		
Totals:	***26,215***	*+ 1.1 %*	***$ 119,411,827***	***Ave. Inspection = $11,340 in fines***	***$4,555***
1926.501	6,624	*+ 6%*	$47,940,267	Fall protection - failure to provide/use	$7,237
1926.1053	2,711	*+ 7%*	$9,488,075	Ladder selection, inspection, set-up, use	$3,500
1926.503	2,173	*+ 16%*	$4,831,670	Fall protection - training requirements	$2,224
1926.102	1,885	*+ 4%*	$7,008,053	PPE - eye & face protection	$3,718
1926.451	1,840	*- 23%*	$6,627,298	Scaffolds - insp., proper set-up/use, gen' req's	$3,602
1926.20	1,000	*+ 10%*	$4,193,398	Construction - CP insp, equip. tagout, empl. equip/tool training	$4,193
1926.100	772	*- 14%*	$2,420,608	PPE - head protection	$3,136
1903.19	670	*+ 5%*	$278,496	Abatement verification - failure to submit	$416
1926.651	628	*- 13%*	$4,486,151	Excavation - gen'l req's (safe access, OneCall, spoil pile, air qual...)	$7,144
1926.1153	586	*+ 26%*	$1,144,765	Respirable crystaline silica - dust control, policy, training	$1,954
	72%		**74%**	**Top 10 Totals**	
1926.502	574	*- 4%*	$1,745,138	Fall protection - improper system set-up/use/maintenance	$3,040
1926.453	527	*- 22%*	$2,027,042	Aerial lifts - primarily lack of fall protection	$3,846
1910.1200	526	*+ 8%*	$888,336	Chemical hazard communication - labels, SDS, program & training	$1,689
1926.652	477	*- 11%*	$6,293,482	Excavation - cave-in protective protective systems	$13,194
1910.134	407	*+ 18%*	$651,754	Respiratory protection - prog; training; fit test; proper equip/use	$1,601
1926.21	351	*+ 5%*	$1,720,516	Training - gen'l hazard & regulation safety training	$4,902
1926.1060	299	*+ 7%*	$449,399	Stairways & Ladders - training requirements	$1,503
1910.178	260	*- 2%*	$707,846	Forklifts - lack of current operator training	$2,722
1926.454	236	*- 10%*	$512,945	Scaffolds - training requirements	$2,173
1926.416	221	*+ 18%*	$900,763	Electrical - gen'l safety (live parts, poor hskp., bad cords...)	$4,076
	87%		**87%**	**Top 20 Totals**	
1904.39	207	*+ 6%*	$757,570	Failure to report OSHA-reportable incidents	$3,660
1926.405	183	*- 11%*	$400,842	Electrical - wiring methods (temporary wiring)	$2,190
1926.1052	176	*- 7%*	$535,945	Stairways, hand/stairrails & stairway platforms	$3,045
1926.452	150	*- 12%*	$362,886	Scaffolds - requirements for specific scaffold types	$2,419
1926.602	141	*- 3%*	$499,105	Forklifts - unsafe cond'n, operation *(incl. seatbelts, insp's, & lifting people)*	$3,540
1926.403	138	*+ 6%*	$271,044	Electrical - general requirements (clearance, guarding, ID)	$1,964
5(a)(1)	132	*+ 6%*	$986,764	General Duty Clause	$7,475
1926.1051	111		$373,710	Ladders/Stairways - failure to provide wher req'd, access points	$3,367
1926.62	103	*- 19%*	$284,823	Lead	$2,765
1926.760	102	*+ 4%*	$1,308,559	Steel erection - fall protection	$12,829
	92%		**92%**	**Top 30 Totals**	

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STRUCTURAL STEEL & PRECASST CONCRETE - Top 30 Most Frequently Cited OSHA Standards

as of 3/22/2025

Listed below are the standards cited by Federal OSHA for the construction industry during the period October 2023 through September 2024. Penalties shown reflect current rather than initial amounts.

Standard	Citations	% Chg.	$ Penalty	Citation Description	Ave. per citation
Totals:	***297***		***$ 1,151,545***	***Ave. Inspection = $7,288 in fines***	***$3,877***
1926.760	45		$212,709	Steel erection fall protection - failure to provide or properly use	$4,727
1926.451	31		$107,811	Scaffolds - insp., proper set-up/use, gen' req's	$3,478
1926.453	31		$114,963	Aerial lifts - primarily lack of fall protection	$3,708
1926.501	18		$114,941	Fall protection (non-steel erection) - failure to provide/use	$6,386
1910.178	13		$56,504	Forklifts - lack of current operator training	$4,346
1926.503	8		$9,823	Fall protection (non-steel erection) - training requirements	$1,228
1926.761	8		$33,790	Steel erection fall protection - training requirements	$4,224
1926.502	7		$44,606	Fall protection (non-steel) - improper system set-up/use/maintenan	$6,372
1904.39	6		$16,913	Failure to report OSHA-reportable incidents	$2,819
1926.20	6		$25,192	Construction - CP insp, equip. tagout, empl. equip/tool training	$4,199
	58%		**64%**	**Top 10 Totals**	
1926.21	6		$25,448	Training - gen'l hazard & regulation safety training	$4,241
1926.251	5		$8,695	Rigging equipment	$1,739
1926.602	5		$9,808	Forklifts - unsafe cond'n, operation *(incl. seatbelts, insp's, & lifting people)*	$1,962
1904.41	4		$2,766	Failure to submit annual electronic OSHA recordkeeping	$692
1926.100	4		$14,417	PPE - head protection	$3,604
1926.102	4		$8,624	PPE - eye & face protection	$2,156
1926.701	4		$27,945	Concrete ops - rebar caps; work under load; PPE	$6,986
1910.134	3		$4,113	Respiratory protection - prog; training; fit test; proper equip/use	$1,371
1910.212	3		$12,627	Machine Guarding	$4,209
1910.1200	3		$0	Chemical hazard communication - labels, SDS, program & training	$0
	72%		**74%**	**Top 20 Totals**	
1926.303	3		$9,520	Grinders - guarding, condition	$3,173
1926.753	3		$5,438	Hoisting & rigging - insp. Of gear; work under load; multiple lift riggin	$1,813
1926.1060	3		$0	Ladders - training requirements	$0
1926.1428	3		$7,259	Crane Signal Persons - lack of training/qualification	$2,420
1904.40	2		$447	Failure to provide #300/300A logs to OSHA when requested	$224
1910.95	2		$14,518	Occupational Noise Exposure	$7,259
1910.147	2		$6,452	Lockout/Tagout	$3,226
1910.179	2		$7,368	Overhead & Gantry Cranes	$3,684
1910.219	2		$5,808	Mechanical Power Transmission Apparatus - guarding	$2,904
1910.253	2		$5,626	Oxyacetylene Welding & Cutting	$2,813
	80%		**79%**	**Top 30 Totals**	

2025 OSHA Update

1. **Falls in construction**

   - Hazards related to falls on construction sites are normally transient and of limited duration. This limits the practicality of targeting the site in advance. Therefore, inspections conducted under this emphasis program would be initiated by several means: compliance officer observance, non-formal complaints, and referrals from other outside sources. All work sites where fall hazards are observed by compliance officers will be selected for inspection under this emphasis program.

2. **Heat illness**

   - To increase the likelihood of preventing heat-related illnesses and deaths and make efficient use of OSHA resources, compliance officers who are investigating for other purposes, shall open or refer a heat-related inspection for any hazardous heat conditions observed, recorded in the OSHA 300 logs or 301 Incident Reports, or where an employee brings a heat-related hazard(s) to the attention of the compliance officer (such as, employees or temporary workers being exposed to high temperature conditions without adequate training, acclimatization or access to water, rest, and shade).
   - Additionally, compliance officers should inquire during inspections regarding the existence of any heat-related hazard prevention programs on heat priority days. A heat priority day occurs when the heat index for the day is expected to be 80°F or more.
   - Furthermore, programmed inspections (ex: Dodge Report inspections) shall occur on any day that the National Weather Service has announced a heat warning or advisory for the local area. Affected employers should be aware and take appropriate actions to protect their workers from heat hazards.
   - During heat-related inspections, compliance officers shall:

     a) Review OSHA 300 Logs and 301 Incident Reports for any entries indicating heat-related illness(es),

     b) Review any records of heat-related emergency room visits and/or ambulance transport, even if hospitalizations did not occur,

     c) Interview workers for symptoms of headache, dizziness, fainting, dehydration, or other conditions that may indicate heat-related illnesses, including both new employees and any employees who have recently returned to work,

     d) Determine if the employer has a heat illness and injury program addressing heat exposure, and consider the following:

        - Is there a written program?
        - How did the employer monitor ambient temperature(s) and levels of work exertion at the worksite?
        - Was there unlimited cool water that was easily accessible to the employees?
        - Did the employer require additional breaks for hydration?
        - Were there scheduled rest breaks?
        - Was there access to a shaded area?
        - Did the employer provide time for acclimatization of new and returning workers?
        - Was a “buddy” system in place on hot days?
        - Were administrative controls used (earlier start times, employee/job rotation) to limit heat exposures?
        - Did the employer provide training on heat illness signs, how to report signs and symptoms, first aid, how to contact emergency personnel, prevention, and the importance of hydration?

     e) Document conditions relevant to heat-related hazards.

     f) Identify activities relevant to heat-related hazards. These can include, but are not limited to:

        - Potential sources of heat-related illnesses (e.g., working in direct sunlight, a hot vehicle, or areas with hot air, near a gas engine, furnace, boiler, or steam lines),
        - The use of heavy or bulky clothing or equipment, including personal protective equipment,
        - Estimate workload exertions by observing the types of job tasks performed by employees and whether those activities can be categorized as moderate, heavy, or very heavy work, considering both average workload and peak workload,

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- Duration of exposure during which a worker is continuously or repeatedly performing moderate to strenuous activities.

3. Silica

- OSHA shall continue to respond to complaints, referrals, hospitalizations, and fatalities related to silica. Inspections conducted under this emphasis program might include personal exposure monitoring. Compliance officers should conduct air sampling, as necessary, even if it is for less than an 8-hour period.
- All potential hazards observed during any inspection conducted under this emphasis program shall be appropriately addressed. Other health hazards that may be observed include: exposure to elevated noise levels from cutting, drilling, or blasting operations; heat stress; and exposure to beryllium dust during abrasive blasting.
- If the compliance officer observes serious safety violations that cannot be immediately mitigated by the employer, then an appropriate referral may be made.
- Violations for respiratory protection & chemical hazard communication often cited concurrent with silica violations.

4. Excavation & trenching

- Compliance officers shall initiate inspections whenever they observe an open trench or an open excavation, regardless of whether or not a violation is readily observed. These observations may occur during their normal work-day travel or while engaged in programmed or un-programmed inspections. Trenching and excavation operations will also be assigned for inspection as the result of incidents, referrals, and complaints.
- Inspections under this emphasis program shall normally be limited to evaluating worker exposure to safety and health hazards associated with the excavation. However, a compliance officer may expand the scope of an inspection if other safety and health hazards or violations are observed in plain view and/or brought to their attention.

5. Hexavalent chromium ("hex chrome" or CrVI)

- The primary occupational health effect associated with hexavalent chromium compounds is an increased risk of lung cancer from inhalation exposures. In addition, health effects associated with exposure to chromium (VI) can include airway sensitizations, or asthma, skin sensitizations, e.g., allergic and irritant contact dermatitis, nasal and skin ulcerations, and eye irritation.
- There are many hexavalent chromium compounds in industrial use, including chromate pigments in dyes, paints, inks, and plastics; chromates added as anticorrosive agents to paints, primers, and other surface coatings; and chromic acid used to electroplate chromium onto metal parts to provide a decorative or protective coating. Hexavalent chromium can also be formed during "hot work," such as the welding, brazing, and cutting of stainless steel or other chromium-containing metals and the melting of chromium metal.
- The compliance officer will consider and evaluate worker exposures and compliance in regard to activities including, but not limited to: regular operations; setup and preparation for regular operations; making adjustments during operations; cleaning of the process area; scheduled and unscheduled maintenance; implementation of engineering controls; use of personal protective equipment (PPE); medical surveillance programs; and worker training and education.
- All inspections conducted under this NEP where workers are exposed to Cr(VI) or any of the toxic substances listed in Appendix C are expected to include personal exposure monitoring.
- If safety hazards are noted that cannot be appropriately dealt with by the compliance officer, an appropriate safety referral will be made, subject to any current exemptions or limitations on such activity.

6. Lead

- Similar process as with silica… OSHA shall continue to respond to complaints, referrals, hospitalizations, and fatalities related to lead. Inspections conducted under this emphasis program will likely include personal exposure monitoring, along with evaluations of the employer's OSHA injury/illness logs, comprehensive lead program, hazcom program – including SDS, respiratory program, & PPE requirements.
- Where resources permit, a joint safety and health inspection should be conducted.
- Rarely is a single citation for lead issued. These citations can be many and particularly expensive.

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2025 OSHA Update

OUTREACH

1. **Heat illness prevention.**
   - https://www.osha.gov/heat-exposure
   - https://www.osha.gov/heat-exposure/personal-risk-factors

2. **Motor vehicle safety.**
   - Jan. 16, 2025 – OSHA partners with the National Safety Council (NSC) & Road to Zero Coalition to prevent fatal workplace motor vehicle accidents. This is more of an outreach effort, not so much enforcement, but the General Duty Clasue is available if OSHA deems enforcement action appropriate.
   - https://www.osha.gov/news/newsreleases/osha-trade-release/20250116
   - https://www.osha.gov/motor-vehicle-safety

3. **Mental health.**
   - https://www.osha.gov/preventingsuicides
   - https://www.preventconstructionsuicide.com/posters

4. **Opioids.**
   - https://www.cpwr.com/research/research-to-practice-r2p/r2p-library/other-resources-for-stakeholders/mental-health-addiction/opioid-resources/
   - https://nida.nih.gov/research-topics/opioids
   - https://www.hopkinsmedicine.org/health/conditions-and-diseases/opioid-use-disorder
   - https://blogs.cdc.gov/niosh-science-blog/2021/09/14/opioids-in-construction/
   - https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2021.306510

5. **Workplace violence.**
   - https://www.osha.gov/workplace-violence

6. **Hardhats vs. helmets.**
   - Is OSHA now requiring employers to switch from hardhats to helmets? No.
   - On Dec. 11, 2023, OSHA issued a Safety & Health Information Bulletin regarding the issuance of new safety helmets to their inspectors, replacing the traditional hardhat. THIS BULLETIN DOES NOT REQUIRE THE NEW HELMETS TO BE USED. It only brings attention to the new technology that these PPE offer and tasks employers with considering them when assessing hazards in their work environments.
   - https://www.osha.gov/sites/default/files/publications/safety_helmet_shib.pdf

7. **Class 1 & class 2 retractables.**
   - https://multimedia.3m.com/mws/media/2093504O/3m-ansi-assp-z359-14-2021-standards-update-summary.pdf

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FACT SHEET

Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings

OSHA® Occupational Safety and Health Administration

Why a Standard is Needed:

Heat is the leading cause of weather-related deaths in the United States. Excessive heat in the workplace can cause a number of adverse health effects, including heat stroke and even death, if not treated properly. While heat hazards impact workers in many industries, workers of color have a higher likelihood of working in jobs with hazardous heat exposure. OSHA published in the Federal Register a Notice of Proposed Rulemaking (NPRM) titled *Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings*, a significant step toward a federal heat standard, which proposes protective measures that the agency has preliminarily determined would significantly reduce heat-related injuries, illnesses, and fatalities in the workplace. The NPRM is available for viewing on the Federal Register web page at https://federalregister.gov/d/2024-14824 and https://www.regulations.gov/document/OSHA-2021-0009-4761. OSHA encourages the public to submit comments to the Heat Injury and Illness Prevention rulemaking docket at https://www.regulations.gov/commenton/OSHA-2021-0009-4761. The comment period is open until December 30, 2024.

Scope of the Standard:

The proposed standard would apply to all employers conducting outdoor and indoor work in all general industry, construction, maritime, and agriculture sectors where OSHA has jurisdiction. OSHA is proposing to exclude from the rule: short duration employee exposures to heat, emergency response activities, work at indoor sites kept below 80°F, telework, and indoor sedentary work activities. The proposed standard would more clearly set employer obligations and the measures necessary to effectively protect employees from hazardous heat. Employers would be required to create a plan to evaluate and control heat hazards in their workplace.

What the Standard Requires:

The proposed standard would require employers to:

- Develop and implement a work site heat injury and illness prevention plan (HIIPP) with site-specific information to evaluate and control heat hazards in their workplace.
- Identify heat hazards in both outdoor and indoor work sites.
  - For outdoor work sites, employers would be required to monitor heat conditions by tracking local heat index forecasts or measuring heat index or wet bulb globe temperature.
  - For indoor work sites, employers would be required to identify work areas with the potential for hazardous heat exposure, develop and implement a monitoring plan, and seek employee input.
- Implement control measures at or above the Initial Heat Trigger (i.e., a **heat index of 80°F** or a wet bulb globe temperature equal to the NIOSH Recommended Action Limit) that include providing employees:
  - cool drinking water;
  - break areas with cooling measures;
  - indoor work area controls;
  - acclimatization protocols for new and returning unacclimatized employees;
  - paid rest breaks **if needed** to prevent overheating; and
  - regular and effective two-way communication.
- Implement additional control measures at or above the High Heat Trigger (i.e., **heat index of 90°F** or wet bulb globe temperature equal to the NIOSH Recommended Exposure Limit) that include providing employees:
  - **mandatory** rest breaks of 15 minutes at least every two hours (unpaid meal break may count as a rest break);
  - observation for signs and symptoms of heat-related illness;
  - a hazard alert to remind employees of key parts of the HIIPP; and
  - warning signs at indoor work areas with ambient temperatures that regularly exceed 120°F.

- Take steps if an employee is experiencing signs and symptoms of a heat-related illness or a heat emergency, and develop a heat emergency response plan.
- Provide initial and annual refresher training for supervisors, heat safety coordinators, and employees, as well as supplemental training after changes in exposure to heat hazards, policies and procedures, or the occurrence of a heat injury or illness.
- Have and maintain, for a minimum of six months, written or electronic records of indoor monitoring data.
- Ensure that all requirements are at no cost to employees.

These requirements of the proposed standard are summarized in the table below:

Provision	All Covered Employers (See Scope)	At or Above Initial Heat Trigger	At or Above High Heat Trigger
Identifying heat hazards	●	●	●
Heat illness and emergency response procedures	●	●	●
Training for employees and supervisors	●	●	●
Heat injury and illness prevention plan (HIIPP)	●	●	●
Recordkeeping	●	●	●
Drinking water		■	■
Break area		■	■
Indoor work area controls		■	■
Acclimatization plan for new or returning workers		■	■
Rest breaks (if needed)		■	■
Effective communication means with employees		■	■
Rest breaks (minimum 15 minutes every 2 hours)			▲
Supervisor or buddy system to observe for signs and symptoms			▲
Hazard alert			▲

Stakeholder Participation:

OSHA encourages the public to participate in this rulemaking by submitting comments. Your input will help OSHA develop a final rule that adequately protects workers, is feasible for employers, and is based on the best available evidence. You may submit comments and attachments electronically at www.regulations.gov, Docket No. OSHA-2021-0009. When submitting comments or recommendations, commenters should explain their rationale and, if possible, provide data and information to support their comments or recommendations. The comment period is open until December 30, 2024.

All comments, including any personal information you provide, will be placed in the public docket without change and, with the exception of copyrighted materials, will be publicly available online at www.regulations.gov. Therefore, OSHA cautions commenters about submitting information they do not want to be made available to the public or submitting materials that contain personal information (either about themselves or others) such as Social Security Numbers, birthdates or confidential medical information. All comments and submissions are listed in the www.regulations.gov index; however, some information (e.g., copyrighted material) is not publicly available to read or download through that website. All submissions, including copyrighted material, are available for inspection at the OSHA Docket Office. Contact the OSHA Docket Office at 202-693-2350 (TTY number: 877-889-5627) for assistance in locating docket submissions.

For more information on how to engage with this stage of the rulemaking process, visit: https://www.osha.gov/laws-regs/rulemakingprocess#v-nav-tab2.

FALL PROTECTION QUICK REFERENCE

ACTIVITY / EXPOSURE	REQ'D AT	FALL PROTECTION OPTIONS
Floor sides/edges **Wall openings**[1]	6 ft.	• Guardrails *(42-in. top & 21-in. mid)* • PFAS – Personal fall arrest system *(5000# anchorage)* • Fall restraint[2] • 15 ft. line[3]
Walkway & ramp edges *(incl. walkways over trenches)*	6 ft.	• Guardrails *(42-in. top & 21-in. mid)*
Holes *(2+ inches in least dimension)*	All	• Cover • Guardrails *(42-in. top & 21-in. mid)* • PFAS – Personal fall arrest system *(5000# anchorage)* • Fall restraint[2] • 15 ft. line[3]
Stairways	4 or more risers	• Stairrail for each open side *(36-in. top & 18-in. mid)* • If no open sides, then provide a handrail *(36-in.)*
Stairway platforms	All	• Guardrails *(42-in. top & 21-in. mid)*
Ladders • Portable • Fixed	n/a Over 24 ft.	• Portable ladders – OSHA does not mandate fall protection *(however, company or project policy may require in certain circumstances)* • Fixed ladders – PFAS, ladder safety device, or ladder cage/well
Roof • Any activity on roof. • *Skylights*	6 ft.	• Guardrails *(42-in. top & 21-in. mid)* • PFAS – Personal fall arrest system *(5000# anchorage)* • Fall restraint[2] • Safety nets • 15 ft. line[3]
• *Roofing*[4] *work (max. 4:12 pitch)*		• *Acceptable alternative: Warning line with safety monitor*
Steel & PEMB erection[5] • General	Over 15 ft. *(Fed. OSHA)*	• Guardrails *(42-in. top & 21-in. mid)* • PFAS – Personal fall arrest system *(5000# anchorage)* • Fall restraint[2] • Manufacturer-designed leading edge systems or safety nets
• *Connecting*[6]		• To 30 ft./2 stories (lesser of) PFAS must be worn, but tie-off optional. • Over 30 ft./2 stories mandatory tie-off, safety nets, or work positioning.
• Decking		• To 30 ft./2 stories (lesser of) controlled decking zone (CDZ) may be used. • Over 30 ft./2 stories mandatory guardrails, PFAS, or safety nets.
Lifts • Scissors, aerial & forklift	All heights	• Scissors – Guarded platform *(tie off exiting at height or if req'd on project)* • Aerial – Guarded platform **AND** harness tie-off (using class 2 retractable). • Forklift – Guarded basket (ONLY IF APPROVED BY LIFT MFR.)
Scaffolds • Supported	Over 10 ft.	• Guardrails *(42-in. top & 21-in. mid)* • Personal fall arrest system only permitted if tie-off to independent anchor that will support 5,000 lbs. (usually cannot be the scaffold). • Work positioning may be permissible during erection/dismantling if competent person deems anchorage adequate for set-up.
• Suspension		• Guardrails **AND** personal fall arrest system (PFAS) • PFAS must anchor to indep. lifelines (can't use scaffold suspension lines)
Vertical form work & rebar	6 ft.	• PFAS – Personal fall arrest system *(5000# anchorage)* • Work positioning system • Safety nets

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FALL PROTECTION QUICK REFERENCE

ACTIVITY / EXPOSURE	REQ'D AT	FALL PROTECTION OPTIONS
Masonry *(overhand bricklaying[7])*	6 ft.	• Guardrails *(42-in. top & 21-in. mid)* • PFAS – Personal fall arrest system *(5000# anchorage)* • Fall restraint[2] • Safety nets • Controlled access zone (CAZ)
Leading edge work[8] *(not incl. steel erection)* **Precast concrete**	6 ft.	• Guardrails *(42-in. top & 21-in. mid)* • PFAS – Personal fall arrest system *(5000# anchorage)* • Fall restraint[2] • Safety nets • Written, site-specific alternative fall plan *(if other methods infeasible)*
Excavations	6 ft.	• OSHA does not require fall protection for open excavations except where not visible. May use caution tape, fencing, or barricades for awareness. • Where public exposure exists, company policy may require installation of fencing with DANGER signs.
Vertical pits & shafts	6 ft.	• Cover • Guardrails *(42-in. top & 21-in. mid)* • Fencing or barricade
Shop & client maintenance/PM	4 ft.	• Usually guardrails, PFAS, or fall restraint will be required.

FOOTNOTES – OSHA DEFINITIONS

1. **Opening** means a gap or void 30 inches or more high and 18 inches or more wide in a wall or partition, through which employees can fall to a lower level.
2. **Fall restraint** requires wearing a harness, but anchored to something in a manner that prevents you from reaching any fall hazard whatsoever. Where PFAS requires an anchor point capable of supporting 5000#, a restraint anchor point does not.
3. **15 ft. line** requires:
   a) Flagging installed ***at least 15 feet back from roof edge***. Max. 4:12 roof pitch.
   b) Flagging height 34 – 39 inches. Attach to stanchions such that slack cannot be taken up in adjacent section.
   c) Cattle chutes to access point (ex: ladder). End of cattle chute (where meets 15 ft. line) must be closed off.
   d) No one is permitted between 15 ft. line & roof edge unless tied-off (PFAS or restraint) or guardrails in place.
   e) No holes, openings, skylights, or open hatches permitted within flagged area unless covered or guarded.
4. **Roofing work** means the hoisting, storage, application, and removal of roofing materials and equipment, including related insulation, sheet metal, and vapor barrier work, but not including the construction of the roof deck.
5. **Steel erection** activities include:
   a) Hoisting, laying out, placing, connecting, welding, burning, guying, bracing, bolting, plumbing and rigging structural steel, steel joists and metal buildings;
   b) Installing metal decking, curtain walls, window walls, siding systems, miscellaneous metals, ornamental iron, and similar materials; and
   c) Moving point-to-point while performing these activities.
6. **Connector** is a worker who, working with hoisting equipment, is placing and connecting structural members/ components.
7. **Overhand bricklaying** and related work means the process of laying bricks and masonry units such that the surface of the wall to be jointed is on the opposite side of the wall from the mason, requiring the mason to lean over the wall to complete the work. Related work includes mason tending and electrical installation incorporated into the brick wall during the overhand bricklaying process.
8. **Leading edge** means the edge of a floor, roof or formwork for a floor or other walking/working surface (such as the deck) which changes location as additional floor, roof, decking, or formwork sections are placed, formed, or constructed. A leading edge is considered an "unprotected side/edge" when it is not actively and continuously under construction.

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STEEL ERECTION FALL PROTECTION (Fed. OSHA)

OSHA's steel erection requirements apply to the construction, alteration, and/or repair of single and multi-story buildings, bridges, and other structures where steel erection occurs. They do not apply to tanks or towers (electrical transmission, communication, broadcast). This is important because OSHA's fall protection requirements for steel erection activities are different than for most other fall exposures.

- OSHA defines steel erection activities as: "The hoisting, laying out, placing, connecting, welding, burning, guying, bracing, bolting, plumbing and rigging structural steel, steel joists and metal buildings; installing metal decking, curtain walls, window walls, siding systems, miscellaneous metals, ornamental iron and similar materials; and moving point-to-point while performing these activities."

A range of additional work activities fall under the steel erection requirements (including those relating to fall protection) when they occur during and as a part of steel erection activities.

The key to determining this is… *Does the activity have to be done for the steel erection to continue?*

1. Fall protection for steel work – Fall protection is required for any worker engaged in a steel erection activity who is on a walking/working surface with an unprotected side/edge more than 15-ft. above a lower level (Fed. OSHA).

   Fall protection options include use of guardrails/safety cables, safety nets, PFAS, work positioning systems, or fall restraint systems.

FED. OSHA REGULATION & COMPLIANCE GUIDANCE

Subpart M – 29 CFR 1926.500(a)(2)(iii) – Fall protection requirements for employees performing steel erection work (except for towers and tanks) are provided in subpart R of this part.

Subpart R – 29 CFR 1926.760(a)(1) – Except as provided by paragraph (a)(3) of this section (relating to connector & CDZ exceptions), each employee engaged in a steel erection activity who is on a walking/working surface with an unprotected side or edge more than 15 feet above a lower level shall be protected from fall hazards by guardrail systems, safety net systems, personal fall arrest systems, positioning device systems or fall restraint systems.

OSHA's Steel Erection Compliance Directive CPL 2-1.34

Question 6: When installing an integrated metal roof decking system, which includes the metal banding, insulation, and screw down clips, is the entire process considered steel erection?

OSHA Answer: Yes. These operations take place in a repeating sequence of steps. Once the banding is in place, a row of insulation is put down, metal decking is laid over it and then secured with clips. The metal decking forms both the structural and weather-proofing roof surface. Working from that completed row, the next row of insulation and decking is then installed and the process repeated across the building.

The installation of the metal roof decking is covered by subpart R under 1926.750(b)(1). Because the metal banding, insulation and screw-down clips are installed "during and [as] a part of" the installation of the metal decking, these activities are covered by subpart R under 1926.750(b)(2).

2. Perimeter safety cables on multi-story buildings – Install perimeter safety cables at the interior & exterior perimeters of floors as soon as decking has been installed.

   Remember, fall protection is required at a height of 6 ft. for non-steel erection activities.

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STEEL ERECTION FALL PROTECTION (Fed. OSHA)

3. Connectors – A connector means an employee who, working with hoisting equipment, is placing and connecting structural members and/or components (including erection bridging, but not horizontal/other bridging).

   If a PFAS, work positioning, or fall restraint system is used to provide fall protection, it must be worn where a fall hazard over 15 ft. up to 30 ft. or 2 stories (lesser of) exists. HOWEVER, actual tie-off is optional and at the discretion of the wearer. If a fall hazard over 30-ft./2 stories exists, tie-off is required.

   If a safety net is used to provide fall protection, it must be installed where a fall hazard over 15 ft. exists.

4. Controlled decking zone (CDZ) – A CDZ is an area in which certain work (for example, initial installation and placement of metal decking) may take place without the use of guardrail systems, personal fall arrest systems, fall restraint systems, or safety net systems and where access to the zone is controlled. [29 CFR 1926.751]

   A CDZ may be established & used as a fall protection method when decking is initially being installed and forms the leading edge of a work area at heights over 15 ft. up to 30 ft. (or 2 stories, lesser of) above a lower level. Where fall hazard over 30 ft./2 stories exist, a CDZ may no longer be used.

   Note: Initial installation of PEMB metal roofing is considered “decking”.

LEADING EDGE

Refers to the unprotected side/edge of a floor, roof, or formwork for a floor or other walking/working surface (such as deck) which changes location as additional floor, roof, decking, or formwork sections are placed, formed, or constructed.

OSHA Standards Interpretation and Compliance Letters

9/26/2003 – Fall protection on metal roofs.

Question 3(b): What about [the use of warning lines] for metal roofing?

OSHA Answer: Some types of metal roofing are installed over a roof deck. The installation of that type of metal roofing is not leading edge work, since it is not structural, and does not form an edge of a walking/working surface. Conventional fall protection under Part 1926 Subpart M is required for this type of work (unless it were done in conjunction with steel erection work).

Some types of metal roofing serve as the roof structure or metal decking (there is no structural decking below it). The installation of such decking is leading edge work and is included in the steel erection standard (Part 1926 Subpart R) as a steel erection activity under §1926.750(b)(1). This activity may be performed in a controlled decking zone as noted in Section 1926.760.

Note: Section 1926.751 defines "Leading edge" as: the unprotected side and edge of a floor, roof, or formwork for a floor or other walking/working surface (such as deck) which changes location as additional floor, roof, decking or formwork sections are placed, formed or constructed.

OSHA Standards Interpretation and Compliance Letters

11/8/2002 – Applicability of steel erection standard to repair & installation of metal roofing & roofing accessories.

Question (1)(a): Scenario: A commercial roofing contractor is engaged in a re-roofing job. In the course of removing the weatherproofing material, the contractor discovers that some of the metal roof decking has deteriorated, and that a 6-ft. x 6-ft. section has to be replaced. Is this replacement work covered under Part 1926 Subpart R?

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STEEL ERECTION FALL PROTECTION (Fed. OSHA)

Answer: Under §1926.750(a), Subpart R is not limited to new construction - it also applies to steel erection activities in alteration and repair work. Section 1926.750(b)(1) contains a list of activities that are covered by Subpart R, including "installing metal decking." Since §1926.750(a) states that steel erection activities done during repair are covered by Subpart R, the reverse of the decking installation process - removal - is also covered under §1926.750(b)(1).

Question (1)(c): Assume that the roof is between 15 feet and 30 feet high. Can the employer use a Controlled Decking Zone as a substitute for conventional fall protection for the employees engaged in removing the bad decking?

Answer: No. Section 1926.760(c) states that, "a controlled decking zone may be established in that area of the structure over 15 and up to 30 feet above a lower level where metal decking is initially being installed and forms the leading edge of a work area..."

The controlled decking zone option was designed specifically for the initial installation of metal decking. The removal of deteriorated decking involves hazards that are not addressed in the controlled decking zone provision (for example, the fall hazards encountered when cutting decking and/or removing welds or fasteners). Therefore, the controlled decking zone exception does not apply to this deck removal work; conventional fall protection must be used.

CDZ Specs

a) Delineate with a rope, flags, warning line, wire, chain, or equivalent (min. 200# tensile strength)
b) Line height: 39 – 45 inches at all points with hi-viz flagging every 6-ft.
c) Extend line along entire length of the leading edge and approximately parallel to it.
d) Erect line at least 6 ft. back from leading edge & max. 90 ft. from it.
e) Max. size of a CDZ is 90 ft. x 90 ft.
f) Connect each end to a guardrail system, wall, stanchion, or other suitable anchor (can support min. 16-lbs. force)
g) Attach lines to stanchions such that slack cannot be taken-up in adjacent sections.
h) Use cattle chutes (2 parallel lines) to delineate any accessways. Close-off or offset entrance to CDZ.

CDZ limitations/restrictions:

- Only workers engaged in the decking process are permitted in a CDZ, and they must receive CDZ training. This training must address the nature of hazards associated with CDZ work and the establishment, access, proper installation techniques, & work practices required for task & fall protection.
- Unsecured decking may not exceed 3,000 sq. ft. in the CDZ.
- Safety deck attachments required from the leading edge back – min. two (2) per deck panel.
- Final deck attachments & shear connector installation not permitted inside a CDZ.

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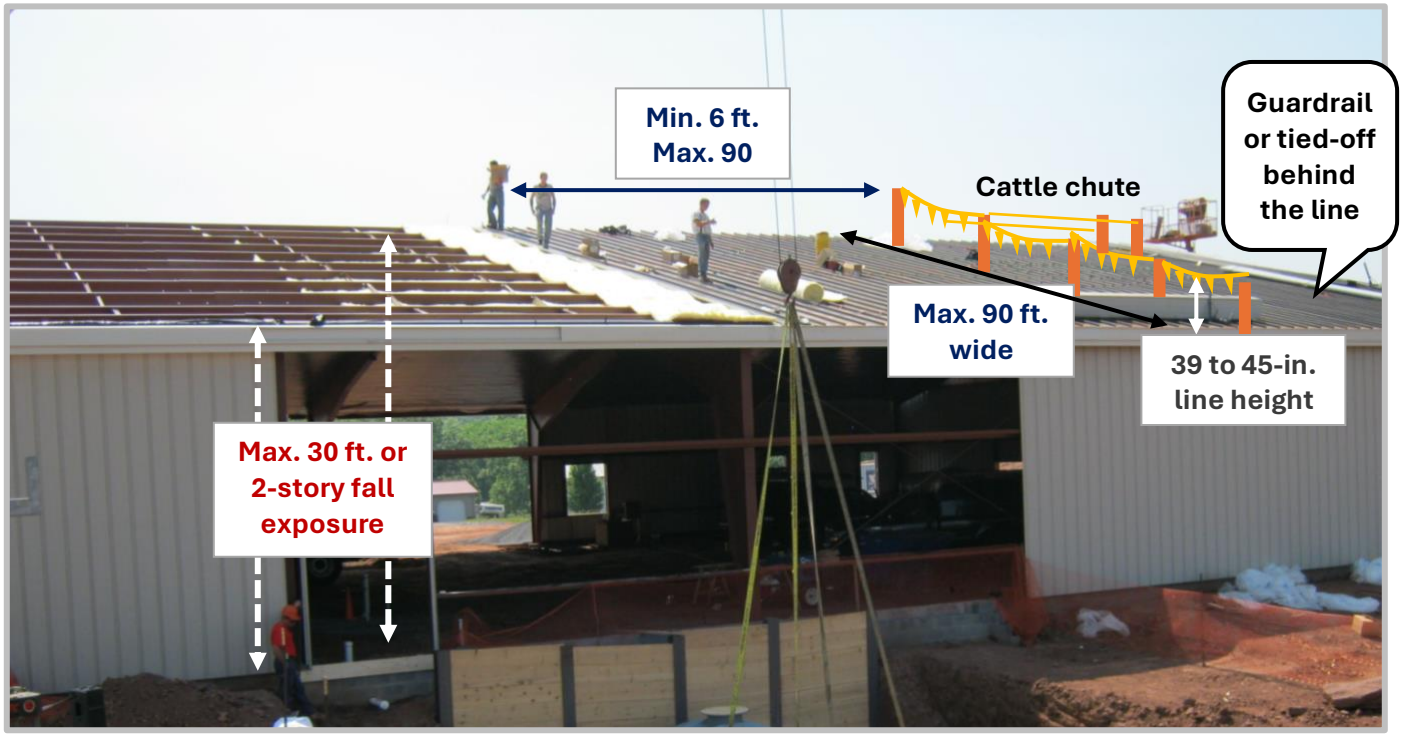
STEEL ERECTION FALL PROTECTION (Fed. OSHA)



5. <u>PEMB leading edge systems</u>.

There are numerous fall protection systems that may be integrated into a PEMB's roof construction. These systems (ex: Bay Runner, Skyweb, Simple Saver, Skyliner, Energy Saver, etc.) are creative and useful means of providing fall protection.

However, be aware:

a) These systems are not safety nets. They are considered passive restraint systems and provide leading edge protection only. They do not provide protection beyond the roof perimeter & typically do not provide protection from falls above the plane of the roof.

b) Specific installation instructions accompany these systems. Failure to install the system per manufacturer's instructions can result in system failure & possibly serious injury or death.

c) Fall protection is required during installation (+15 ft. – Fed. OSHA) unless the system is installed as an integral part of the decking (leading edge) process. In these cases, a controlled decking zone may be used.

d) Some of these systems use netting capable of allowing tools & small objects to fall through. This exposure will necessitate keeping areas below clear while work takes place above.

e) If someone falls into the system, the system will flex and possibly allow the fallen individual to strike any objects within a few feet below (steel, boom lifts, forklifts, etc.).

f) Some of these systems come with specific directions to follow in the event a fall rescue is necessary. The directions may require a rescuer to tie-off and remain out of the system membrane/netting.

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STEEL ERECTION FALL PROTECTION (Fed. OSHA)

6. Extended fall distance PFAS components.

When tied-off at foot level, an individual will likely free-fall approx. 10-11 ft. before his/her lanyard engages.

The individual will fall the distance between his/her feet and dorsal D ring, plus the length of the lanyard/pay-out (typically 6 ft.). The farther a person falls, the more force will be required to arrest the fall.

Be careful – many harnesses, shock-absorbing lanyards, and anchor points are designed for a max. free-fall distance of 6 ft. In an extended fall, these components can fail or impart excessive force to the user.

In situations where a shock-absorbing lanyard is used to tie-off at foot level, the harness, lanyard, & anchor point will need to be rated for this greater free-fall distance.

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