



Certification Page Regular and Emergency Rules

<u>1. General Information</u>			
a. Agency/Board Name <i>See attached list for references</i> Department of Workforce Services - OSHA Division			
b. Agency/Board Address 1510 E. Pershing Blvd - West Wing		c. Agency/Board City Cheyenne	d. Agency/Board Zip Code 82002
e. Name of Contact Person J.D. Danni		f. Contact Telephone Number (307)-777-7700	
g. Contact Email Address jd.danni@wyo.gov			h. Adoption Date:
i. Program(s) <i>See attached list for references</i> Wyoming Occupational Health & Safety Rules 1926 Construction Standards			
<u>2. Rule Type and Information</u>			
a. These rules are: <input type="checkbox"/> Emergency Rules <i>(After completing all of Section 2, proceed to Section 5 below)</i> <input checked="" type="checkbox"/> Regular Rules			
b. Choose all that apply: <input type="checkbox"/> New Rules* <input checked="" type="checkbox"/> Amended Rules <input type="checkbox"/> Repealed Rules			
<i>* "New" rules means the first set of regular rules to be promulgated by the Agency after the Legislature adopted a new statutory provision or significantly amended an existing statute.</i>			
If "New," provide the Enrolled Act number and year enacted:			
c. Provide the Chapter Number, and Short Title of Each Chapter being Created/Amended/Repealed <i>(if more than 5 chapters are being created/amended/repealed, please use the Additional Rule Information form and attach it to this certification)</i>			
Chapter Number: 1	Short Title: General (A)		
Chapter Number: 5	Short Title: Personal Protective and Life Saving Equipment (E)		
Chapter Number:	Short Title:		
Chapter Number:	Short Title:		
Chapter Number:	Short Title:		
d. <input checked="" type="checkbox"/> The Statement of Reasons is attached to this certification.			
e. If applicable, describe the emergency which requires promulgation of these rules without providing notice or an opportunity for a public hearing:			
<u>3. State Government Notice of Intended Rulemaking</u>			
a. Date on which the Notice of Intent containing all of the information required by W.S. 16-3-103(a) was filed with the Secretary of State: 05/01/13			
b. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the Legislative Service Office: 05/01/13			
c. Date on which the Notice of Intent and proposed rules in strike and underscore format were provided to the Attorney General: 05/01/13			

4. Public Notice of Intended Rulemaking

a. Notice was mailed 45 days in advance to all persons who made a timely request for advance notice. Yes No N/A

b. A public hearing was held on the proposed rules. Yes No

If "Yes:"	Date: June 21, 2013	Time: 9:00 AM	City: Cheyenne	Location: Cheyenne Business Center 1510 E. Pershing Blvd. Cheyenne, WY 82002
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5. Final Filing of Rules

a. Date on which the Certification Page with original signatures and final rules were sent to the Attorney General's Office for the Governor's signature:

6-24-13

b. Date on which final rules were sent to the Legislative Service Office:

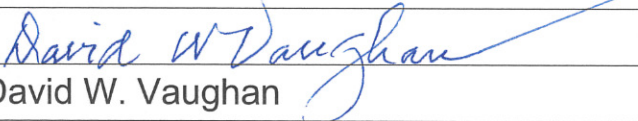
6-24-13

c. Date on which a PDF of the final rules was electronically sent to the Secretary of State:

6-24-13

6. Agency/Board Certification

The undersigned certifies that the foregoing information is correct.

Signature of Authorized Individual	
Printed Name of Signatory	David W. Vaughan
Signatory Title	Wyoming OSHA Commission Chairman
Date of Signature	6-21-2013

7. Governor's Certification

I have reviewed these rules and determined that they:

1. Are within the scope of the statutory authority delegated to the adopting agency;
2. Appear to be within the scope of the legislative purpose of the statutory authority; and, if emergency rules,
3. Are necessary and that I concur in the finding that they are an emergency.

Therefore, I approve the same.

Governor's Signature	
Date of Signature	

Distribution List:

Attorney General

1. Statement of Reasons;
2. Original Certification Page;
3. Summary of Comments (regular rules);
4. Hard copy of rules: clean and strike/underscore; and
5. Memo to Governor documenting emergency (emergency rules).

LSO

1. Statement of Reasons;
2. Copy of Certification Page;
3. Summary of Comments (regular rules);
4. Hard copy of rules: clean and strike/underscore;
5. Electronic copy of rules: clean and strike/underscore; and
6. Memo to Governor documenting emergency (emergency rules).

SOS

1. PDF of clean copy of rules; and
2. Hard copy of Certification Page as delivered by the AG.

Statement of Reasons

The Department of Workforce Services, Workers' Safety –OSHA Division would like to modify and amend the 1910 General Industry and 1926 Construction Standards..

Amending and modifying the 1910 General Industry Standards and 1926 Construction Standard for its Head Protection: OSHA is updating the references in its standards to recognize the 2009 edition of the American National Standard for Industrial Head Protection, and is deleting the 1986 edition of that national consensus standard because it is out of date. OSHA also is including the construction industry in this rulemaking to ensure consistency among the Agency's standards. This neither reduces employee protection nor alters an employer's obligations under the existing standards and does not require an employer to update or replace its head protection solely as a result of this rule if the head protection currently in use meets the revised standards. However, this also provides employers with additional options for meeting the design-criteria requirements for head protection – options most employers are already using.

Summary of Comments for Proposed Updating OSHA Standards Based on National Consensus Standards; Head Protection

There were no written or oral comments for the 1910 General Industry Standards and 1926 Construction Standard for its Head Protection.

Subpart A - General

1926.1	Authority, purpose and scope.
1926.2	Petition for promulgation, amendment or repeal of rules and regulations.
1926.3	Amendments of rules and regulations.
1926.4	Applicability of rules and regulations.
1926.5	[Reserved]
1926.6	Incorporation of Reference

SUBPART A -- GENERAL

Authority: Sec. 3704, Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 et al.); secs. 4, 6, and 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 6-96 (62 FR 111), 5-2007 (72 FR 31160), and 4-2010 (75 FR 55355), as applicable; and 29 CFR part 1911.

[61 FR 5507, Feb. 13, 1996; 62 FR 3813, Jan. 26, 1998; 63 FR 17093, April 8, 1998; 64 FR 18810, April 16, 1999; 71 FR 38086, July 5, 2006; 75 FR 12686, March 17, 2010; 75 FR 48130, Aug. 9, 2010; 75 FR 68430, Nov. 8, 2010; 77 FR 37600, June 22, 2012]

1926.1 Authority, Purpose and scope.

(a) The Occupational Health and Safety Commission is empowered by Section 27-11-105(b)(ii), Wyoming Statutes Republished 1990, to devise, formulate, adopt, amend and repeal rules and regulations governing the health and safety of employees and employers covered by the Act.

(b) The purpose and scope of these rules and regulations are:

(1) To provide standards and rules & regulations to safeguard the life, limb, and health of employees and employers in construction.

(2) To provide the minimum requirements for compliance by each place of employment in construction.

1926.2 Petition for Promulgation, Amendment or Repeal of Rules and Regulations.

Any interested person may petition the department or commission requesting the promulgation, amendment or repeal of any rules and regulations and may accompany his petition with relevant data, views and arguments. The department or commission may prescribe by rule the form of such petition and the procedure for their [its] submission, consideration and disposition. Upon submission of such a petition, the department or commission, as soon as practicable, either shall deny the petition in writing (stating its reasons for the denial) or initiate

rule-making proceedings in accordance with Section 9-4-103(c) Wyoming Statutes 1977. The action of the commission in denying a petition shall be final and not subject to review.

1926.3 Amendments of Rules and Regulations.

(a) The commission shall have the authority under Section 27-11105(b)(ii) of the Act, to devise, formulate, adopt, amend and repeal rules and regulations promulgated under the Act.

(b) In the event of conflict among any such standards, the commission shall take the action necessary to eliminate the conflict including the amendment or revocation of a rule or regulation, so as to assure the greatest protection of the health and safety of the employees and employers affected by the Act.

1926.4 Applicability of Rules and Regulations.

(a) Employers and employees engaged in construction shall be subject to these Construction Rules and Regulations and applicable portions of the General Rules and Regulations.

(b) If a particular requirement contained herein is specifically applicable to a condition, practice, means, method, operation, or process it shall prevail over any different general rule or regulation which might otherwise be applicable to the same condition, practice, means, method, operation or process.

1926.5 [Reserved]

1926.6 Incorporation by Reference

(a) The standards, rules and regulations of the U.S. Government and the State of Wyoming, and organizations which are not agencies of the U.S. Government or the State of Wyoming which are incorporated by reference in these rules and regulations, have the same force and effect as these rules and regulations. Only the mandatory provisions (i.e. provisions containing the word “shall” or other mandatory language) of standards incorporated by reference are adopted as standards under the Wyoming Occupational Safety and Health Act.

(b) Copies of the standards which are incorporated by reference may be examined at the office of the Occupational Health and Safety Division of the Department of Workforce Services, 1510 E. Pershing Blvd., Cheyenne, WY 82002. Copies of such private standards may be obtained from the issuing organizations. The materials are available for purchase at the addresses of the private standards organizations listed in paragraph (e) of this section.

(c) Any changes in the standards incorporated by reference in this part and an official historic file of such changes are available for inspection at the office of the Occupational Health and Safety Division of the Department of Employment, Cheyenne, WY.

NOTE: As indicated in 1926.4(a) of this Subpart, certain portions of the General Rules and Regulations are also applicable to the construction industry. Identified herein by "1910.xxx" are specific General Rules and Regulations applicable to the construction industry.

(d) The materials listed in paragraph (g) through (ff) of this section are incorporated by reference in the corresponding sections noted as they exist on the date these rules and regulations became effective.

(e) [*Reserved.*]

(f) [*Reserved.*]

(g) The following material is available for purchase from the American Conference of Governmental Industrial Hygienists (ACGIH), 1330 Kemper Meadow Drive, Cincinnati, OH 45240; telephone: 513-742-6163; fax: 513-742-3355; e-mail: mail@acgih.org; Web site: <http://www.acgih.org>:

(1) Threshold Limit Values of Airborne Contaminants for 1970, 1970, IBR approved for § 1926.55(a) and Appendix A of §1926.55.

(h) The following material is available for purchase from the American National Standards Institute (ANSI), 25 West 43rd Street, Fourth Floor, New York, NY 10036; telephone: 212-642-4900; fax: 212-302-1286; e-mail: info@ansi.org; Web site: <http://www.ansi.org/>.

(1) ANSI A10.3-1970, Safety Requirements for Explosive-Actuated Fastening Tools, IBR approved for § 1926.302(e).

(2) ANSI A10.4-1963, Safety Requirements for Workmen's Hoists, IBR approved for § 1926.552(c).

(3) ANSI A10.5-1969, Safety Requirements for Material Hoists, IBR approved for § 1926.552(b).

(4) ANSI A11.1-1965 (R1970), Practice for Industrial Lighting, IBR approved for § 1926.56(b).

(5) ANSI A17.1-1965, Elevators, Dumbwaiters, Escalators, and Moving Walks, IBR approved for § 1926.552(d).

(6) ANSI A17.1a-1967, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for § 1926.552(d).

(7) ANSI A17.1b-1968, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for § 1926.552(d).

(8) ANSI A17.1c-1969, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for § 1926.552(d).

(9) ANSI A17.1d-1970, Elevators, Dumbwaiters, Escalators, and Moving Walks Supplement, IBR approved for § 1926.552(d).

(10) ANSI A17.2-1960, Practice for the Inspection of Elevators (Inspector's Manual), IBR approved for § 1926.552(d).

(11) ANSI A17.2a-1965, Practice for the Inspection of Elevators (Inspector's Manual) Supplement, IBR approved for § 1926.552(d).

(12) ANSI A17.2b-1967, Practice for the Inspection of Elevators (Inspector's Manual) Supplement, IBR approved for § 1926.552(d).

(13) ANSI A92.2-1969, Vehicle Mounted Elevating and Rotating Work Platforms, IBR approved for §§ 1926.453(a) and 1926.453(b).

(14) ANSI B7.1-1970, Safety Code for the Use, Care, and Protection of Abrasive Wheels, IBR approved for §§ 1926.57(g), 1926.303(b), 1926.303(c), and 1926.303(d).

(15) ANSI B20.1-1957, Safety Code for Conveyors, Cableways, and Related Equipment, IBR approved for § 1926.555(a).

(16) ANSI B56.1-1969, Safety Standards for Powered Industrial Trucks, IBR approved for § 1926.602(c).

(17) ANSI J6.1-1950 (R1971), Rubber Insulating Line Hose, IBR approved for §1926.951(a).

(18) ANSI J6.2-1950 (R1971), Rubber Insulating Hoods, IBR approved for §1926.951(a).

(19) ANSI J6.4-1971, Rubber Insulating Blankets, IBR approved for §1926.951(a).

(20) ANSI J6.5-1971, Rubber Insulating Sleeves, IBR approved for §1926.951(a).

(21) ANSI J6.6-1971, Rubber Insulating Gloves, IBR approved for §1926.951(a).

(22) ANSI J6.7-1935 (R1971), Rubber Matting for Use Around Electric

Apparatus, IBR approved for § 1926.951(a).

(23) ANSI O1.1-1961, Safety Code for Woodworking Machinery, IBR approved for § 1926.304(f).

(24) ANSI Z35.1-1968, Specifications for Accident Prevention Signs, IBR approved for § 1926.200(i).

(25) ANSI Z35.2-1968, Specifications for Accident Prevention Tags, IBR approved for § 1926.200(i).

(26) ANSI Z49.1-1967, Safety in Welding and Cutting, IBR approved for § 1926.350(j).

(27) ANSI Z87.1-1968, Practice for Occupational and Educational Eye and Face Protection, IBR approved for § 1926.102(a).

(28) American National Standards Institute (ANSI) Z89.1-2009, American National Standard for Industrial Head Protection, approved January 26, 2009; IBR approved for Sec. 1926.100(b)(1)(i). Copies of ANSI Z89.1-2009 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysite.org.

(29) American National Standards Institute (ANSI) Z89.1-2003, American National Standard for Industrial Head Protection; IBR approved for Sec. 1926.100(b)(1)(ii). Copies of ANSI Z89.1-2003 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysite.org.

(30) American National Standards Institute (ANSI) Z89.1-1997, American National Standard for Personnel Protection--Protective Headwear for Industrial Workers--Requirements; IBR approved for Sec. 1926.100(b)(1)(iii). Copies of ANSI Z89.1-1997 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysite.org.

(i) [*Reserved.*]

(j) The following material is available for purchase from the American Society for Testing and Materials (ASTM), ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA, 19428-2959; telephone: 610-832-9585; fax: 610-832-9555; e-mail: service@astm.org; Web site: <http://www.astm.org/>:

(1) ASTM A370-1968, Methods and Definitions for Mechanical Testing and Steel Products, IBR approved for § 1926.1001(f).

(2) ASTM B117-1964, 50 Hour Test, IBR approved for § 1926.959(a).

(3) ASTM D56-1969, Standard Method of Test for Flash Point by the Tag Closed Tester, IBR approved for § 1926.155(i).

(4) ASTM D93-1969, Standard Method of Test for Flash Point by the Pensky Martens Closed Tester, IBR approved for § 1926.155(i).

(5) ASTM D323-1958 (R1968), Standard Method of Test for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for § 1926.155(m).

(k) The following material is available for purchase from the American Society of Agricultural and Biological Engineers (ASABE), 2950 Niles Road, St. Joseph, MI 49085; telephone: 269.429.0300; fax: 269.429.3852; e-mail: hq@asabe.org; Web site: <http://www.asabe.org/>:

(1) ASAE R313.1-1971, Soil Cone Penetrometer, reaffirmed 1975, IBR approved for § 1926.1002(e).

(l) The following material is available for purchase from the American Society of Mechanical Engineers (ASME), Three Park Avenue, New York, NY 10016; telephone: 1-800-843-2763; fax: 973-882-1717; e-mail: infocentral@asme.org; Web site: <http://www.asme.org/>:

(1) ASME B30.2-2005, Overhead and Gantry Cranes (Top Running Bridge, Single or Multiple Girder, Top Running Trolley Hoist), issued Dec. 30, 2005 (“ASME B30.2-2005”), IBR approved for § 1926.1438(b).

(2) ASME B30.5-2004, Mobile and Locomotive Cranes, issued Sept. 27, 2004 (“ASME B30.5-2004”), IBR approved for §§ 1926.1414(b); 1926.1414(e); 1926.1433(b).

(3) ASME B30.7-2001, Base-Mounted Drum Hoists, issued Jan. 21, 2002 (“ASME B30.7-2001”), IBR approved for § 1926.1436(e).

(4) ASME B30.14-2004, Side Boom Tractors, issued Sept. 20, 2004 (“ASME B30.14-2004”), IBR approved for § 1926.1440(c).

(5) ASME Boiler and Pressure Vessel Code, Section VIII, 1968, IBR approved for §§ 1926.152(i), 1926.306(a), and 1926.603(a).

(6) ASME Power Boilers, Section I, 1968, IBR approved for § 1926.603(a).

(m) The following material is available for purchase from the American Welding Society (AWS), 550 N.W. LeJeune Road, Miami, Florida 33126; telephone: 1-800-443-9353; Web site: <http://www.aws.org/>:

(1) AWS D1.1/D1.1M:2002, Structural Welding Code – Steel, 18th ed., ANSI approved Aug. 31, 2001 (“AWS D1.1/D1.1M:2002”), IBR approved for §1926.1436(c).

(2) ANSI/AWS D14.3-94, Specification for Welding Earthmoving and Construction Equipment, ANSI approved Jun. 11, 1993 (“ANSI/AWS D14.3- 94”), IBR approved for § 1926.1436(c).

(n) The following material is available for purchase from the British Standards Institution (BSI), 389 Chiswick High Road, London, W4 4AL, United Kingdom; telephone: +44 20 8996 9001; fax: +44 20 8996 7001; e-mail: cservices@bsigroup.com; [Web site: http://www.bsigroup.com/](http://www.bsigroup.com/):

(1) BS EN 13000:2004, Cranes – Mobile Cranes, published Jan. 4, 2006 (“BS EN 13000:2004”), IBR approved for § 1926.1433(c).

(2) BS EN 14439:2006, Cranes – Safety – Tower Cranes, published Jan. 31, 2007 (“BS EN 14439:2006”), IBR approved for § 1926.1433(c).

(o) The following material is available for purchase from the Bureau of Reclamation, United States Department of the Interior, 1849 C Street NW, Washington DC 20240; telephone: 202-208-4501; Web site: <http://www.usbr.gov/>:

(1) Safety and Health Regulations for Construction, Part II, Sept. 1971, IBR approved for § 1926.1000(f).

(p) The following material is available for purchase from the California Department of Industrial Relations, 455 Golden Gate Avenue, San Francisco CA 94102; telephone: (415) 703-5070; e-mail: info@dir.ca.gov; Web site: <http://www.dir.ca.gov/>:

(1) Construction Safety Orders, IBR approved for § 1926.1000(f).

(q) [*Reserved.*]

(r) [*Reserved.*]

(s) [*Reserved.*]

(t) [*Reserved.*]

(u) The following material is available for purchase from the Federal Highway Administration, United States Department of Transportation, 1200 New Jersey Ave., SE, Washington, DC 20590; telephone: 202-366-4000; Web site: <http://www.fhwa.dot.gov/>:

(1) Manual on Uniform Traffic Control Devices, Millennium Edition, Dec. 2000, IBR approved for §§ 1926.200(g), 1926.201(a), and 1926.202.

(v) The following material is available for purchase from the General Services Administration (GSA), 1800 F Street, NW, Washington, DC 20405; telephone: (202) 501-0800; Web site: <http://www.gsa.gov/>:

(1) QQ-P-416, Federal Specification Plating Cadmium (Electrodeposited), IBR approved for § 1926.104(e).

(w) The following material is available for purchase from the Institute of Makers of Explosives (IME), 1120 19th Street NW, Suite 310, Washington, DC 20036; telephone: 202-429-9280; fax: 202-429-9280; e-mail: info@ime.org; Web site: <http://www.ime.org/>:

(1) IME Pub. No. 2, American Table of Distances for Storage of Explosives, Jun. 5, 1964, IBR approved for § 1926.914(a).

(2) IME Pub. No. 20, Radio Frequency Energy – A Potential Hazard in the Use of Electric Blasting Caps, Mar. 1968, IBR approved for § 1926.900(k).

(x) The following material is available for purchase from the International Organization for Standardization (ISO), 1, ch. de la Voie-Creuse, Case postale 56, CH-1211 Geneva 20, Switzerland; telephone: +41 22 749 01 11; fax: +41 22 733 34 30; Web site: <http://www.iso.org/>:

(1) ISO 11660-1:2008(E), Cranes – Access, guards and restraints – Part 1: General, 2d ed., Feb. 15, 2008 (“ISO 11660-1:2008(E)”), IBR approved for § 1926.1423(c).

(2) ISO 11660-2:1994(E), Cranes – Access, guards and restraints – Part 2: Mobile cranes, 1994 (“ISO 11660-2:1994(E)”), IBR approved for § 1926.1423(c).

(3) ISO 11660-3:2008(E), Cranes – Access, guards and restraints – Part 3: Tower cranes, 2d ed., Feb. 15, 2008 (“ISO 11660-3:2008(E)”), IBR approved for § 1926.1423(c).

(y) The following material is available for purchase from the National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02169; telephone: 617-770-3000; fax: 617-770-0700; Web site: <http://www.nfpa.org/>:

(1) NFPA 10A-1970, Maintenance and Use of Portable Fire Extinguishers, IBR approved for § 1926.150(c).

(2) NFPA 13-1969, Standard for the Installation of Sprinkler Systems, IBR approved for § 1926.152(d).

(3) NFPA 30-1969, The Flammable and Combustible Liquids Code, IBR approved for § 1926.152(c).

(4) NFPA 80-1970, Standard for Fire Doors and Windows, Class E or F Openings, IBR approved for § 1926.152(b).

(5) NFPA 251-1969, Standard Methods of Fire Test of Building Construction and Material, IBR approved for §§ 1926.152(b) and 1926.155(f).

(6) NFPA 385-1966, Standard for Tank Vehicles for Flammable and Combustible Liquids, IBR approved for § 1926.152(g).

(z) [*Reserved.*]

(aa) The following material is available for purchase from the Power Crane and Shovel Association (PCSA), 6737 W. Washington Street, Suite 2400, Milwaukee, WI 53214; telephone: 1-800-369-2310; fax: 414-272-1170; Web site: <http://www.aem.org/CBC/ProdSpec/PCSA/>:

(1) PCSA Std. No. 1, Mobile Crane and Excavator Standards, 1968, IBR approved for § 1926.602(b).

(2) PCSA Std. No. 2, Mobile Hydraulic Crane Standards, 1968 (“PCSA Std. No. 2 (1968)”), IBR approved for §§ 1926.602(b), 1926.1433(a), and 1926.1501(a).

(3) PCSA Std. No. 3, Mobile Hydraulic Excavator Standards, 1969, IBR approved for § 1926.602(b).

(bb) [*Reserved.*]

(cc) [*Reserved.*]

(dd) The following material is available for purchase from the Society of Automotive Engineers (SAE), 400 Commonwealth Drive, Warrendale, PA 15096; telephone: 1-877-606-7323; fax: 724-776-0790; Web site: <http://www.sae.org/>:

(1) SAE 1970 Handbook, IBR approved for § 1926.602(b).

(2) SAE 1971 Handbook, IBR approved for § 1926.1001(h).

(3) SAE J166-1971, Trucks and Wagons, IBR approved for § 1926.602(a).

(4) SAE J168-1970, Protective Enclosures – Test Procedures and Performance Requirements, IBR approved for § 1926.1002(a).

(5) SAE J185 (reaf. May 2003), Access Systems for Off-Road Machines, reaffirmed May 2003 (“SAE J185 (May 1993)”), IBR approved for § 1926.1423(c).

(6) SAE J236-1971, Self-Propelled Graders, IBR approved for § 1926.602(a).

(7) SAE J237-1971, Front End Loaders and Dozers, IBR approved for § 126.602(a).

- (8) SAE J319b-1971, Self-Propelled Scrapers, IBR approved for § 1926.602(a).
- (9) SAE J320a-1971, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired, Self-Propelled Scrapers, IBR approved for §1926.1001(h).
- (10) SAE J321a-1970, Fenders for Pneumatic-Tired Earthmoving Haulage Equipment, IBR approved for § 1926.602(a).
- (11) SAE J333a-1970, Operator Protection for Agricultural and Light Industrial Tractors, IBR approved for § 1926.602(a).
- (12) SAE J386-1969, Seat Belts for Construction Equipment, IBR approved for §1926.602(a).
- (13) SAE J394-1971, Minimum Performance Criteria for Roll-Over Protective Structure for Rubber-Tired Front End Loaders and Rubber-Tired Dozers, IBR approved for § 1926.1001(h).
- (14) SAE J395-1971, Minimum Performance Criteria for Roll-Over Protective Structure for Crawler Tractors and Crawler-Type Loaders, IBR approved for §1926.1001(h).
- (15) SAE J396-1971, Minimum Performance Criteria for Roll-Over Protective Structure for Motor Graders, IBR approved for § 1926.1001(h).
- (16) SAE J397-1969, Critical Zone Characteristics and Dimensions for Operators of Construction and Industrial Machinery, IBR approved for § 1926.1001(f).
- (17) SAE J743a-1964, Tractor Mounted Side Boom, 1964 (“SAE J743a-1964”), IBR approved for § 1926.1501(a).
- (18) SAE J959-1966, Lifting Crane Wire-Rope Strength Factors, 1966 (“SAE J959-1966”), IBR approved for § 1926.1501(a).
- (19) SAE J987 (rev. Jun. 2003), Lattice Boom Cranes – Method of Test, revised Jun. 2003 (“SAE J987 (Jun. 2003)”), IBR approved for § 1926.1433(c).
- (20) SAE J1063 (rev. Nov. 1993), Cantilevered Boom Crane Structures – Method of Test, revised Nov. 1993 (“SAE J1063 (Nov. 1993)”), IBR approved for § 1926.1433(c).
- (ee) The following material is available for purchase from the United States Army Corps of Engineers, 441 G Street, NW, Washington, DC 20314; telephone: 202-761-0011; e-mail: hq-publicaffairs@usace.army.mil; Web site: <http://www.usace.army.mil/>; (1) EM-385-1-1, General Safety Requirements, Mar. 1967, IBR approved for §1926.1000(f).

(ff) The following material is available for purchase from standards resellers such as the Document Center Inc., 111 Industrial Road, Suite 9, Belmont, CA 94002; telephone: 650-591-7600; fax: 650-591-7617; e-mail: info@document-center.com; Web site: <http://www.document-center.com/>:

(1) ANSI B15.1-1953 (R1958), Safety Code for Mechanical Power Transmission Apparatus, revised 1958, IBR approved for §§ 1926.300(b)(2) and 1926.1501(a).

(2) ANSI B30.2.0-1967, Safety Code for Overhead and Gantry Cranes, approved May 4, 1967, IBR approved for § 1926.1501(d).

(3) ANSI B30.5-1968, Crawler, Locomotive, and Truck Cranes, approved Dec. 16, 1968, IBR approved for §§ 1926.1433(a), 1926.1501(a), and 1926.1501(b). (4) ANSI B30.6-1969, Safety Code for Derricks, approved Dec. 18, 1967, IBR approved for § 1926.1501(e).

Subpart A - General

1926.1	Authority, purpose and scope.
1926.2	Petition for promulgation, amendment or repeal of rules and regulations.
1926.3	Amendments of rules and regulations.
1926.4	Applicability of rules and regulations.
<u>1926.5</u>	<u>[Reserved]</u>
1926.5 <u>6</u>	Incorporation of Reference

SUBPART A -- GENERAL

Authority: Sec. 3704, Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 et al.); secs. 4, 6, and 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Secretary of Labor's Order No. 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), 6-96 (62 FR 111), 5-2007 (72 FR 31160), and 4-2010 (75 FR 55355), as applicable; and 29 CFR part 1911.

[61 FR 5507, Feb. 13, 1996; 62 FR 3813, Jan. 26, 1998; 63 FR 17093, April 8, 1998; 64 FR 18810, April 16, 1999; 71 FR 38086, July 5, 2006; 75 FR 12686, March 17, 2010; 75 FR 48130, Aug. 9, 2010; 75 FR 68430, Nov. 8, 2010; 77 FR 37600, June 22, 2012]

1926.1 Authority, Purpose and scope.

(a) The Occupational Health and Safety Commission is empowered by Section 27-11-105(b)(ii), Wyoming Statutes Republished 1990, to devise, formulate, adopt, amend and repeal rules and regulations governing the health and safety of employees and employers covered by the Act.

(b) The purpose and scope of these rules and regulations are:

(1) To provide standards and rules & regulations to safeguard the life, limb, and health of employees and employers in construction.

(2) To provide the minimum requirements for compliance by each place of employment in construction.

1926.2 Petition for Promulgation, Amendment or Repeal of Rules and Regulations.

Any interested person may petition the department or commission requesting the promulgation, amendment or repeal of any rules and regulations and may accompany his petition with relevant data, views and arguments. The department or commission may prescribe by rule the form of such petition and the procedure for their [its] submission, consideration and disposition. Upon submission of such a petition, the department or commission, as soon as practicable, either shall deny the petition in writing (stating its reasons for the denial) or initiate

Apparatus, IBR approved for § 1926.951(a).

(23) ANSI O1.1-1961, Safety Code for Woodworking Machinery, IBR approved for § 1926.304(f).

(24) ANSI Z35.1-1968, Specifications for Accident Prevention Signs, IBR approved for § 1926.200(i).

(25) ANSI Z35.2-1968, Specifications for Accident Prevention Tags, IBR approved for § 1926.200(i).

(26) ANSI Z49.1-1967, Safety in Welding and Cutting, IBR approved for § 1926.350(j).

(27) ANSI Z87.1-1968, Practice for Occupational and Educational Eye and Face Protection, IBR approved for § 1926.102(a).

~~(28) ANSI Z89.1-1969, Safety Requirements for Industrial Head Protection, IBR approved for § 1926.100(b).~~ American National Standards Institute (ANSI) Z89.1-2009, American National Standard for Industrial Head Protection, approved January 26, 2009; IBR approved for Sec. 1926.100(b)(1)(i). Copies of ANSI Z89.1-2009 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysafetyequipment.org.

~~(29) ANSI Z89.2-1971, Industrial Protective Helmets for Electrical Workers, Class B, IBR approved for §§ 1926.100(e) and 1926.951(a).~~ American National Standards Institute (ANSI) Z89.1-2003, American National Standard for Industrial Head Protection; IBR approved for Sec. 1926.100(b)(1)(ii). Copies of ANSI Z89.1-2003 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysafetyequipment.org.

~~(30) American National Standards Institute (ANSI) Z89.1-1997, American National Standard for Personnel Protection--Protective Headwear for Industrial Workers--Requirements; IBR approved for Sec. 1926.100(b)(1)(iii).~~ Copies of ANSI Z89.1-1997 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysafetyequipment.org.

(i) [*Reserved.*]

(j) The following material is available for purchase from the American Society for Testing and Materials (ASTM), ASTM International, 100 Barr Harbor Drive, PO Box C700, West Conshohocken, PA, 19428-2959; telephone: 610-832-9585; fax: 610-832-9555; e-mail: service@astm.org; Web site: <http://www.astm.org/>:

Subpart E Personal Protective and Life Saving Equipment

1926.95	Criteria for personal protective equipment.
1926.96	Occupational foot protection.
1926.97	(Reserved)
1926.98	(Reserved)
1926.99	(Reserved)
1926.100	Head protection
1926.101	Hearing protection
1926.102	Eye and face protection
1926.103	Respiratory protection
1926.104	Safety belts, lifelines, and lanyards
1926.105	Safety nets
1926.106	Working over or near water.
1926.107	Definitions applicable to this subpart.

Authority: Sec. 107, Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 333); Secs. 4, 6, 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Secretary of Labor's Order 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), or 1-90 (55 FR 9033), or 6-96 (62 FR 111), 5-2002 (67 FR 65008), or 5-2007 (72 FR 31160), 4-2010 (75 FR 55355), or 1-2012 (77 FR 3912), as applicable; and 29 CFR part 11.

[59 FR 40672, Aug. 9, 1994; 60 FR 39254, Aug. 2, 1995; 61 FR 9227, March 7, 1996; 61 FR 31427, June 20, 1996; 63 FR 1152, Jan. 8, 1998; 72 FR 64429, Nov. 15, 2007; 77 FR 37600, June 22, 2012]

1926.95 Criteria for personal protective equipment.

(a) Application. 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. STD 1-1.13 STD 1-6.1

(b) Employee-owned equipment. Where employees provide their own protective equipment, the employer shall be responsible to assure its adequacy, including proper maintenance, and sanitation of such equipment.

(c) Design. All personal protective equipment shall be of safe design and construction for the work to be performed.

(d) Payment for protective equipment.

(1) Except as provided by paragraphs (d)(2) through (d)(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.

(2) The employer is not required to pay for non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty prescription safety eyewear, provided that the employer permits such items to be worn off the job-site.

(3) When the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, the employer is not required to reimburse the employee for the shoes or boots.

(4) The employer is not required to pay for:

(i) Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots; or

(ii) Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen.

(5) The employer must pay for replacement PPE, except when the employee has lost or intentionally damaged the PPE.

(6) Where an employee provides adequate protective equipment he or she owns pursuant to paragraph (b) of this section, the employer may allow the employee to use it and is not required to reimburse the employee for that equipment. The employer shall not require an employee to provide or pay for his or her own PPE, unless the PPE is excepted by paragraphs (d)(2) through (d)(5) of this section.

(7) This section shall become effective on February 13, 2008. Employers must implement the PPE payment requirements no later than May 15, 2008.

Note to Sec. 1926.95(d): When the provisions of another OSHA standard specify whether or not the employer must pay for specific equipment, the payment provisions of that standard shall prevail.

1926.96 Occupational foot protection.

Safety-toe footwear for employees shall meet the requirements and specifications in American National Standard for Men's Safety-Toe Footwear, Z41.1-1967.

1926.97 Reserved.

1926.98 Reserved.

1926.99 Reserved.

1926.100 Head Protection

(a) Employees working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns, shall be protected by protective helmets.

(b) Criteria for head protection.

(1) The employer must provide each employee with head protection that meets the specifications contained in any of the following consensus standards:

(i) American National Standards Institute (ANSI) Z89.1-2009, "American National Standard for Industrial Head Protection," incorporated by reference in Sec. 1926.6;

(ii) American National Standards Institute (ANSI) Z89.1-2003, "American National Standard for Industrial Head Protection," incorporated by reference in Sec. 1926.6; or

(iii) American National Standards Institute (ANSI) Z89.1-1997, "American National Standard for Personnel Protection--Protective Headwear for Industrial Workers--Requirements," incorporated by reference in Sec. 1926.6.

(2) The employer must ensure that the head protection provided for each employee exposed to high-voltage electric shock and burns also meets the specifications contained in Section 9.7 ("Electrical Insulation") of any of the consensus standards identified in paragraph (b)(1) of this section.

(3) OSHA will deem any head protection device that the employer demonstrates is at least as effective as a head protection device constructed in accordance with one of the consensus standards identified in paragraph (b)(1) of this section to be in compliance with the requirements of this section.

1926.101 Hearing protection

(a) Wherever it is not feasible to reduce the noise levels or duration of exposures to those specified in Table D-2, Permissible Noise Exposures, in 1926.52, ear protective devices shall be provided and used.

(b) Ear protective devices inserted in the ear shall be fitted or determined individually by competent persons.

(c) Plain cotton is not an acceptable protective device.

1926.102 Eye and face protection

(a) General

(1) Employees shall be provided with eye and face protection equipment when machines or operations present potential eye or face injury from physical, chemical, or radiation agents.

(2) Eye and face protection equipment required by this Part shall meet the requirements specified in American National Standards Institute, Z87.1-1968, Practice for Occupational and Educational Eye and Face Protection.

(3) Employees whose vision requires the use of corrective lenses in spectacles, when required by this regulation to wear eye protection, shall be protected by goggles or spectacles of one of the following types:

(i) Spectacles whose protective lenses provide optical correction;

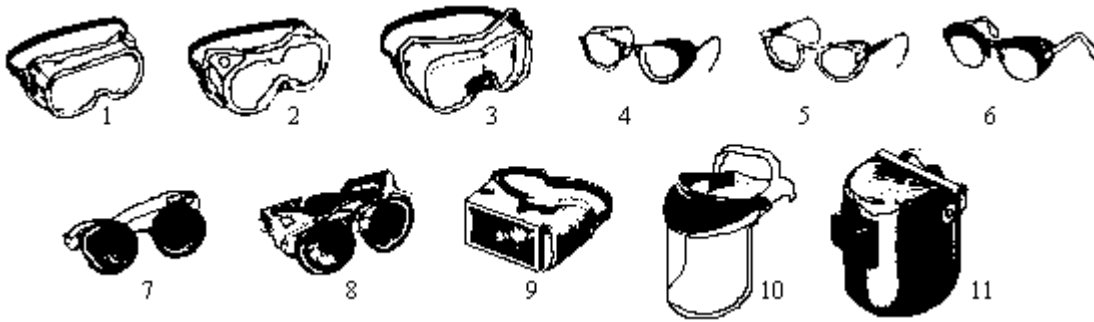
(ii) Goggles that can be worn over corrective spectacles without disturbing the adjustment of the spectacles;

(iii) Goggles that incorporate corrective lenses mounted behind the protective lenses.

(4) Face and eye protection equipment shall be kept clean and in good repair. The use of this type equipment with structural or optical defects shall be prohibited.

(5) Table E-1 shall be used as a guide in the selection of face and eye protection for the hazards and operations noted.

TABLE E-1 - Eye and Face Protector Selection Guide



1. GOGGLES, Flexible Fitting - Regular Ventilation
2. GOGGLES, Flexible Fitting - Hooded Ventilation
3. GOGGLES, Cushioned Fitting - Rigid Body
4. SPECTACLES, Metal Frame, with Sideshields (1)
5. SPECTACLES, Plastic Frame - with Sideshields (1)
6. SPECTACLES, Metal-Plastic Frame - with Sideshields (1)
7. WELDING GOGGLES, Eyecup Type - Tinted Lenses (2)
- 7A. CHIPPING GOGGLES, Eyecup Type - Clear Safety Lenses
8. WELDING GOGGLES, Coverspec Type - Tinted Lenses (2)
- 8A. CHIPPING GOGGLES, Coverspec Type - Clear Safety Lenses
9. WELDING GOGGLES, Coverspec Type - Tinted Plate Lens (2)
10. FACE SHIELD (Available with Plastic or Mesh Window)
11. WELDING HELMETS (2)

Footnote(1) Non-side shield spectacles are available for limited hazard use requiring only frontal protection.

Footnote(2) See Table E-2, in paragraph (b) of this section, Filter Lens Shade Numbers for Protection Against Radiant Energy.

Applications

Operation	Hazards	Recommended protectors: Bold type numbers signify preferred protection
Acetylene-Burning, Acetylene-Cutting, Acetylene-Welding	Sparks, harmful rays, molten metal, flying particles.....	7, 8, 9.
Chemical Handling	Splash, acid burns, fumes.....	2, 10 (For sever exposure add 10 over 2).
Chipping.....	Flying particles.....	1, 3, 4, 5, 6, 7A, 8A.

Electric (arc) welding.....	Sparks, intense rays, molten metal.....	9, 11, (11 in combination with 4, 5, 6, in tinted lenses advisable)
Furnace operations	Glare, heat, molten metal.....	7, 8, 9 (For severe exposure add 10).
Grinding-Light....	Flying particles.....	1, 3, 4, 5, 6, 10.
Grinding-Heavy....	Flying particles.....	1, 3, 7A, 8A (For severe exposure add 10)
Laboratory.....	Chemical splash, glass breakage.....	2 (10 when in combination with 4, 5, 6).
Machining.....	Flying particles.....	1, 3, 4, 5, 6, 10.
Molten metals.....	Heat, glare, sparks, splash.....	7, 8, (10 in combination with 4, 5, 6, in tinted lenses)
Spot welding.....	Flying particles, sparks.....	1, 3, 4, 5, 6, 10

(6) Protectors shall meet the following minimum requirements:

(i) They shall provide adequate protection against the particular hazards for which they are designed.

(ii) They shall be reasonably comfortable when worn under the designated conditions.

(iii) They shall fit snugly and shall not unduly interfere with the movements of the wearer.

(iv) They shall be durable.

(v) They shall be capable of being disinfected.

(vi) They shall be easily cleanable.

(7) Every protector shall be distinctly marked to facilitate identification only of the manufacturer.

(8) When limitations or precautions are indicated by the manufacturer, they shall be transmitted to the user and care taken to see that such limitations and precautions are strictly observed.

(b) Protection against radiant energy

(1) Selection of shade numbers for welding filter. Table E-2 shall be used as a guide for the selection of the proper shade numbers of filter lenses or plates used in welding. Shades more dense than those listed may be used to suit the individual's needs.

TABLE E-2 - FILTER LENS SHADE NUMBERS FOR PROTECTION AGAINST RADIANT ENERGY

Welding operation	Shade number
Shielded metal-arc welding 1/16-, 3/32-, 1/8-, 5/32-inch diameter electrodes.....	10
Gas-shielded arc welding (nonferrous) 1/16-, 3/32-, 1/8-, 5/32-inch diameter electrodes.....	11
Gas-shielded arc welding (ferrous) 1/16-, 3/32-, 1/8-, 5/32-inch diameter electrodes.....	12
Shielded metal-arc welding 3/16-, 7/32-, 1/4-inch diameter electrodes.....	12
5/16-, 3/8-inch diameter electrodes.....	14
Atomic hydrogen welding.....	10-14
Carbon-arc welding.....	14
Soldering.....	2
Torch brazing.....	3 or 4
Light cutting, up to 1 inch.....	3 or 4
Medium cutting, 1 inch to 6 inches.....	4 or 5
Heavy cutting, over 6 inches.....	5 or 6
Gas welding (light), up to 1/8-inch.....	4 or 5
Gas welding (medium), 1/8-inch to 1/2-inch.....	5 or 6
Gas welding (heavy), over 1/2-inch.....	6 or 8

(2) Laser protection.

(i) Employees whose occupation or assignment requires exposure to laser beams shall be furnished suitable laser safety goggles which will protect for the specific wavelength of the laser and be of optical density (O.D.) adequate for the energy involved. Table

E-3 lists the maximum power or energy density for which adequate protection is afforded by glasses of optical densities from 5 through 8.

TABLE E-3 - SELECTING LASER SAFETY GLASS

Intensity, CW maximum power density (watts/cm ²)	Attenuation	
	Optical density (O.D.)	Attenuation factor
10(-2)	5	10(5)
10(-1)	6	10(6)
1.0	7	10(7)
10.0	8	10(8)

Output levels falling between lines in this table shall require the higher optical density.

(ii) All protective goggles shall bear a label identifying the following data:

- (a) The laser wavelengths for which use is intended;
- (b) The optical density of those wavelengths;
- (c) The visible light transmission.

1926.103 Respiratory Protection

Note: The requirements applicable to construction work under this section are identical to those set forth at 29 CFR 1910.134 of this chapter.

1926.104 Safety belts, lifelines, and lanyards

(a) Lifelines, safety belts, and lanyards shall be used only for employee safeguarding. Any lifeline, safety belt, or lanyard actually subjected to in-service loading, as distinguished from static load testing, shall be immediately removed from service and shall not be used again for employee safeguarding.

(b) Lifelines shall be secured above the point of operation to an anchorage or structural member capable of supporting a minimum dead weight of 5,400 pounds.

(c) Lifelines used on rock-scaling operations, or in areas where the lifeline may be subjected to cutting or abrasion, shall be a minimum of 7/8-inch wire core manila rope. For all

other lifeline applications, a minimum of 3/4-inch manila or equivalent, with a minimum breaking strength of 5,400 pounds, shall be used.

(d) Safety belt lanyard shall be a minimum of 1/2-inch nylon, or equivalent, with a maximum length to provide for a fall of no greater than 6 feet. The rope shall have a nominal breaking strength of 5,400 pounds.

(e) All safety belt and lanyard hardware shall be drop forged or pressed steel, cadmium plated in accordance with type 1, Class B plating specified in Federal Specification QQ-P-416. Surface shall be smooth and free of sharp edges.

(f) All safety belt and lanyard hardware, except rivets, shall be capable of withstanding a tensile loading of 4,000 pounds without cracking, breaking, or taking a permanent deformation.

1926.105 Safety nets

(a) Safety nets shall be provided when workplaces are more than 25 feet above the ground or water surface, or other surfaces where the use of ladders, scaffolds, catch platforms, temporary floors, safety lines, or safety belts is impractical.

(b) Where safety net protection is required by this part, operations shall not be undertaken until the net is in place and has been tested.

(c)

(1) Nets shall extend 8 feet beyond the edge of the work surface where employees are exposed and shall be installed as close under the work surface as practical but in no case more than 25 feet below such work surface. Nets shall be hung with sufficient clearance to prevent user's contact with the surfaces or structures below. Such clearances shall be determined by impact load testing.

(2) It is intended that only one level of nets be required for bridge construction.

(d) The mesh size of nets shall not exceed 6 inches by 6 inches. All new nets shall meet accepted performance standards of 17,500 foot-pounds minimum impact resistance as determined and certified by the manufacturers, and shall bear a label of proof test. Edge ropes shall provide a minimum breaking strength of 5,000 pounds.

(e) Forged steel safety hooks or shackles shall be used to fasten the net to its supports.

(f) Connections between net panels shall develop the full strength of the net.

1926.106 Working over or near water.

(a) Employees working over or near water, where the danger of drowning exists, shall be provided with U.S. Coast Guard-approved life jacket or buoyant work vests.

(b) Prior to and after each use, the buoyant work vests or life preservers shall be inspected for defects which would alter their strength or buoyancy. Defective units shall not be used.

(c) Ring buoys with at least 90 feet of line shall be provided and readily available for emergency rescue operations. Distance between ring buoys shall not exceed 200 feet.

(d) At least one lifesaving skiff shall be immediately available at locations where employees are working over or adjacent to water.

1926.107 Definitions applicable to this subpart.

(a) "Contaminant" means any material which by reason of its action upon, within, or to a person is likely to cause physical harm.

(b) "Lanyard" means a rope, suitable for supporting one person. One end is fastened to a safety belt or harness and the other end is secured to a substantial object or a safety line.

(c) "Lifeline" means a rope, suitable for supporting one person, to which a lanyard or safety belt (or harness) is attached.

(d) "O.D." means optical density and refers to the light refractive characteristics of a lens.

(e) "Radiant energy" means energy that travels outward in all directions from its sources.

(f) "Safetybelt" means a device, usually worn around the waist which, by reason of its attachment to a lanyard and lifeline or a structure, will prevent a worker from falling.

Subpart E Personal Protective and Life Saving Equipment

1926.95	Criteria for personal protective equipment.
1926.96	Occupational foot protection.
1926.97	(Reserved)
1926.98	(Reserved)
1926.99	(Reserved)
1926.100	Head protection
1926.101	Hearing protection
1926.102	Eye and face protection
1926.103	Respiratory protection
1926.104	Safety belts, lifelines, and lanyards
1926.105	Safety nets
1926.106	Working over or near water.
1926.107	Definitions applicable to this subpart.

Authority: Sec. 107, Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 333); Secs. 4, 6, 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); Secretary of Labor's Order 12-71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR 35736), or 1-90 (55 FR 9033), or 6-96 (62 FR 111), 5-2002 (67 FR 65008), or 5-2007 (72 FR 31160), 4-2010 (75 FR 55355), or 1-2012 (77 FR 3912), as applicable; and 29 CFR part 11.

[59 FR 40672, Aug. 9, 1994; 60 FR 39254, Aug. 2, 1995; 61 FR 9227, March 7, 1996; 61 FR 31427, June 20, 1996; 63 FR 1152, Jan. 8, 1998; 72 FR 64429, Nov. 15, 2007; 77 FR 37600, June 22, 2012]

1926.95 Criteria for personal protective equipment.

(a) Application. 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. STD 1-1.13 STD 1-6.1

(b) Employee-owned equipment. Where employees provide their own protective equipment, the employer shall be responsible to assure its adequacy, including proper maintenance, and sanitation of such equipment.

(c) Design. All personal protective equipment shall be of safe design and construction for the work to be performed.

1926.97 Reserved.

1926.98 Reserved.

1926.99 Reserved.

1926.100 Head Protection

(a) Employees working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns, shall be protected by protective helmets.

~~(b) Helmets for the protection of employees against impact and penetration of falling and flying objects shall meet the specifications contained in American National Standards Institute, Z89.1-1969, Safety Requirements for Industrial Head Protection. Criteria for head protection.~~

(1) The employer must provide each employee with head protection that meets the specifications contained in any of the following consensus standards:

(i) American National Standards Institute (ANSI) Z89.1-2009, "American National Standard for Industrial Head Protection," incorporated by reference in Sec. 1926.6;

(ii) American National Standards Institute (ANSI) Z89.1-2003, "American National Standard for Industrial Head Protection," incorporated by reference in Sec. 1926.6; or

(iii) American National Standards Institute (ANSI) Z89.1-1997, "American National Standard for Personnel Protection--Protective Headwear for Industrial Workers--Requirements," incorporated by reference in Sec. 1926.6.

(2) The employer must ensure that the head protection provided for each employee exposed to high-voltage electric shock and burns also meets the specifications contained in Section 9.7 ("Electrical Insulation") of any of the consensus standards identified in paragraph (b)(1) of this section.

(3) OSHA will deem any head protection device that the employer demonstrates is at least as effective as a head protection device constructed in accordance with one of the consensus standards identified in paragraph (b)(1) of this section to be in compliance with the requirements of this section.

~~(c) Helmets for the head protection of employees exposed to high voltage electrical shock and burns shall meet the specifications contained in American National Standards Institute, Z89.2-1971.~~