

# OSHA Walking-Working Surfaces Standard Allows for Some Flexibility in Compliance

BY JEAN FEINGOLD

In the fall of 2016, the U.S. Occupational Health and Safety Administration (OSHA) passed a new walking-working surfaces standard for general industry (29 CFR 1910 Subpart D) which includes significant changes to fall protection requirements. Most sections of the new rule took effect on January 17, 2017. Although OSHA started working on revisions to this rule in 1992, its implementation of the revised rule caught industry and the code enforcement community by surprise. The updated fall protection rules let employers select the fall protection system that works best for them, choosing from a range of accepted options including personal fall protection systems. Use of these systems has been allowed in construction under 29 CFR 1926 since 1994. The final rule makes fall protection requirements for general industry more aligned with the construction rule.

“The OSHA 1910 standard focuses on increasing safety and decreasing worker injury when working at height and on the safety of walking and working surfaces for workers in general industry environments,” explained MHI member Gorbel Product Sales Manager Kevin Duhamel. The new rule has made some

helpful changes by focusing on industry consensus standards, latest technology and industry best practices. Some changes include adding new requirements for personal fall protection equipment, expanding the types of equipment available in fall protection applications and requiring worker training on personal fall protection systems and fall equipment. This will help workers identify fall hazards and mitigate them with the latest equipment and best practices.



Duhamel said there have been many improvements in fall protection in the construction industry. By aligning 29 CFR 1910 with 29 CFR 1926, similar improvements in general industry are likely “by allowing employers to choose the most appropriate fall protection equipment for the application. In the past, 1910 mandated the use of guardrails as the primary form of fall protection. The construction industry has had flexibility to choose other types of fall protection for years and now so does general industry.”

## More choices, more training, less confusion

The biggest benefits of the new rule for material handling facilities will be the increased range of fall protection choices and the training focus. “If a worker can’t identify a fall hazard, the chance of a fall is greatly increased,” Duhamel pointed out. “The flexibility to use the latest technology and best industry practices will also improve worker safety. 1910 also provides better definition for many working surfaces including stairways, ladders, floors, roofs, aisles, scaffolds, runways, ramps and steps.”

The new rule’s training requirement does not mandate a specific training



curriculum. “A good training program should start before the employee ever walks out on the floor,” noted Joe St. Clair, IT director at MHI member Hoosier Crane. “We conduct extensive new hire training in multiple safety areas before anyone ever gets in a lift or up on a crane.” We also give monthly refresher classes on safety topics including fall protection, he said.

“Key points in training are reinforcing when fall protection is required,” St. Clair added. “Most people do not

consider fall protection until they are 10 to 15 feet in the air. You must reinforce the rule’s requirement which is four feet up or greater. Other important aspects are the inspections of body harnesses and connectors. That should be done every day prior to using the equipment.”

One issue of concern to materials handling facilities before the rule revision was determining whether the 1910 or 1926 rules applied to general industry workers while performing construction tasks. By making the two rules similar,

this confusion has been clarified. “If you are a worker who often works in maintenance you can be bouncing between a general industry environment and a construction environment,” noted Duhamel. “Making the two standards more consistent eliminates confusion and allows workers to focus on training that applies to both environments.”

St. Clair explained that “the biggest change will be a reduction of confusion. There are a lot of companies that spend most of their time in ‘general industry’ but also perform ‘construction-like’ activities. Another thing this fixes is the discrepancy between scaffold standards. The old general industry standard was vastly outdated.”

### Compliance should go smoothly

Existing facilities should have few issues in complying with the new fall protection requirements. The needed equipment is readily available and easily implemented into any application. Consulting with a qualified person will help identify the hazards and the best possible solutions. “One of the biggest changes is to the ladder standard,” Duhamel said. “Effective November 19, 2018, a fixed ladder over 24 feet will no longer be allowed to install a ladder cage. Any new installations will need a ladder climbing system or a personal fall arrest system in place of the cage.” Cages must be phased out and replaced on existing installations by November 19, 2038.

People already familiar with the existing construction standard will find they are familiar with the new general industry standard. While not all aspects are the same, they are much more compatible than in the past, noted Duhamel.

“For safety conscious and responsible companies there will be little change (in their safety practices),” St. Clair said. “Many of our larger customers have been implementing the newer systems because they know they are safer. The main difference is there is no longer a mandate to use guardrails as the primary fall protection method. This gives the employer a little more flexibility. The companies that will be most affected are the ones that are currently cutting corners on safety.”

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