

OSH INFORMATION MEMORANDUM: 91-X-38 (REVISED)

TO: All OSH Directors, Supervisors and Field Personnel

FROM: William M. Lybrand, Director of OSH

SUBJECT: Guidelines for Citing the Lack of Safety Belts and Lifelines in General Industry

DATE: January 2, 1991

Purpose

This memorandum provides guidelines when citing for lack of safety belts and lifelines in general industry.

Background

Previously, there had been decisions by federal review commission judges which held the Section 1910.132(a) was inapplicable to safety belts and lifelines. However, in recent cases such judges have ruled that Section 1910.132(a) could be cited for fall protection. This was particularly true regarding citations for fall protection violations after March of 1982.

Interpretation

- a. Compliance Officers shall cite applicable sections of Subarticle 6 (General Industry Standards) specifically requiring the use of safety belts and lifelines, such as in Sections 1910.28, 1910.66, 1910.94, 1910.252 and 1910.261.
- b. When employees are exposed to fall protection hazards without the benefit of personal protective equipment, and it is not covered under a specific standard in Subarticle 6, the Compliance Officer shall use Section 1910.132(a) for not providing safety belts and lifelines or other effective means.

Effective Date

This memorandum is effective immediately and shall remain in effect until cancelled or superseded.