

OSH INFORMATION MEMORANDUM 95 X 96

TO: All OSH Compliance Personnel

FROM: W. M. Lybrand

DATE: August 8, 1995

SUBJECT: Inspection Guidelines for the Revised Personal Protective Equipment Standards for General Industry

- A. Purpose. This directive provides inspection assistance to assist CO/IHs performing inspections in General Industry.
- B. Application. OSHA has revised portions of the general industry safety standards addressing personal protective equipment (PPE). The revised standards include those containing general requirements for all PPE (1910.132) and standards that set design, selection, and use requirements for specific types of PPE (eye, face, head, foot and hand).

New paragraphs (d)(e), and (f) (containing requirements covering equipment selection, defective and damaged equipment, and training, respectively) have been added to 1910.132. Also, a new section (1910.138) has been added to this Subpart to address hazards to the hands.

Non-mandatory Appendix A, References, and Appendix B, addressing Hazard Assessment and PPE Selection, have been added to this Subpart to provide additional guidance to employees and employers with regard to PPE for eye, face, head, foot, and hand hazards.

- C. Effective Date of Requirements. The effective date for the revised personal protective equipment standard was July 22, 1994, except for paragraphs 1910.132(d), Hazard Assessment and Equipment Selection and 1910.132(f), Training, which were stayed until October 5, 1994.
- D. Inspection Guidelines. The compliance safety and health officer (CO/IHs) shall determine whether the employer is in compliance with the revised Subpart I.

The CO/IH shall specifically determine whether employers have assessed the workplace to determine if hazards are present, or likely to be present, which necessitate the use of personal protective equipment.

1. Inspections of workplaces subject to the revised personal protective equipment standard shall be conducted by CO/IHs in accordance with the Field Manual.
2. The CO/IH shall evaluate employer's compliance with the specific requirements of the personal protective equipment standards. The

following guidance provides a general framework to assist the CO/IH during inspections of workplaces involving personal protective equipment.

3. The CO/IH shall verify that the employer has conducted a workplace hazard assessment, and has a written certification that identifies the workplace evaluated, performed, and the dates of the hazard assessment. The document must be identified as a certification of hazard assessment.
  - a. Employers who have performed appropriate hazard assessments of their worksites prior to July 22, 1994, conforming to the requirements of the standard 1910.132(d), may rely upon such hazard assessments as compliance with the standard. (Grandfathering of hazard assessments).
  - b. An employer may also rely upon a hazard assessment conforming to 1910.132(d) that a previous employer had conducted for the worksite prior to July 22, 1994, provided that the job conditions have not substantially changed. (Grandfathering of hazard assessments).
  - c. In an employer relies upon a hazard assessment that it or another employer conducted prior to the standard's effective date, the certification (1910.132(d)(2)) may contain the date the employer determine that the prior hazard assessment was adequate rather than the date(s) of the actual assessment.
  - d. When the appropriate equipment is provided and used and the employer failed to certify the hazard assessment, the employer shall be informed of the standard and a de minimis violation issued.
4. The CO/IH shall determine if the employer has selected and is having each affected employee use the types of PPE that will protect the affected employee from identified hazards, has communicated selection decisions to each affected employee, and has selected PPE that properly fits each affected employee.
5. The CO/IH shall determine if the employer is using defective or damaged personal protective equipment. Defective or damaged personal protective equipment shall not be used.
6. The CO/IH shall evaluate the employer's training programs to determine whether the programs meets the revised personal protective equipment standards requirements and if employees are trained to know at least the following:
  - a. When PPE is necessary;
  - b. What PPE is necessary;
  - c. How to properly don, doff, adjust, and wear PPE
  - d. The limitations of the PPE;
  - e. The proper care, maintenance, useful life and disposal of the PPE.

- a. An employer may rely upon training conforming to 1910.132(f) that a previous employer had provided an employee, or the knowledge and ability to use PPE properly that an employee has gained through his or her prior experience, in determining if an employee has the requisite knowledge and skill.
7. The employer shall verify that each affected employee has received and understands the required training through a written certification that contains the name of each employee trained, the dates of training, and that identifies the subject of the certification.
    - a. An employer relies upon training provided by another employer to an employee prior to the standards effective date, or relies upon the knowledge and ability gained by an employee through his or her experience, the certification may contain the date that the employer determined that the prior training, or the employee's knowledge and ability, was adequate rather than the date of the actual training.
    - b. The employer may use any convenient format that contains the required information. It may be a single certification for all of its employees, for an identified group of its employees (based on a common task, type of exposure, or other appropriate characteristic), or for one or more named employees, provided the document contains the required information.
    - c. The certification document need only to indicate that it is a certification of training for the PPE being used by the employee. It need not identify the specific category (e.g., eye and face protection), the (e.g., goggles), or model of PPE covered by the certification.

E. General Inspection Procedures. The CO/IH shall determine whether the following items are in compliance with the revised standard:

1. Eye and face protection 1910.133. Each affected employee shall use appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustics liquids, chemical gases or vapors, or potentially injurious light radiation.
  - a. Detachable side protectors (e.g. clip-on or slide-on side shields) meeting the pertinent requirements of this section are acceptable.
  - b. The CO/IH shall assure that each employee who wears prescription lenses while engaged in operations that involve eye hazards is wearing eye protection that incorporates the prescription in its design, or protection that can be worn over the prescription lenses without disturbing the proper position of the prescriptive lenses.
  - c. The CO/IH shall assure that each affected employee using protective eyewear with filter lenses has eyewear with a shade

number appropriate for the work being performed for protection from injurious light radiation.

- d. Protective eye and face devices purchased after July 22, 1994 shall comply with ANSI Z87.1-1989, "American National Standard Practice for Occupational and Educational Eye and Face Protection", or shall be demonstrated by the employer to be equally effective.

Eye and face protective devices purchased before July 22, 1994 shall comply with the ANSI "USA Standard for Occupational and Educational Eye and Face Protection, Z87.1-1968, or shall be demonstrated by the employer to be equally effective.

2. Head Protection 1910.135. Each affected employee shall wear protective helmets when working in areas where there is potential for injury to the head from falling objects. Also, protective helmets shall be designed to reduce electrical shock hazards when employees are working near exposed electrical conductors.
3. Foot Protection 1910.136. Each affected employee shall wear protective footwear when working in areas where there is a danger of foot injuries due to falling and rolling objects, objects piercing the sole, and where such employee's feet are exposed to electrical hazards.
4. Electrical Protective Equipment 1910.137. Each affected employee shall use electrical protective equipment such as insulating blankets, matting, covers, line hose, gloves, and sleeves made of rubber when exposed to electrical hazards.
5. Hand Protection 1910.138. Employers shall select and require employees to use appropriate hand protection when employee's hands are exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes.

- H. Employer Obligation to Pay for Personal Protective Equipment. The personal protective standards 1910.132 through 1910.138 establish the employer's obligation to provide personal protective equipment to employees. In particular, 1910.132(a) states as follows:

"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 reasons of hazards of process 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."

The “worker-provided” clause in the general industry PPE standard, (1910.132(b), and also in the construction standard, 1926.95(b), has raised questions as to when employers are required to pay for PPE, as well as “provide” it.

1. In order to accommodate those work situations where it is customary for workers to provide their own PPE without compromising employee protection, 1910.132(b) provides that the employer must assure the adequacy of such equipment.
2. The PPE standard requires employers to provide and to pay for personal protective equipment required by the company for the worker to do his or her job safely and in compliance with OSHA standards. Where equipment is personal in nature and may be used by workers off the job, the matter of who pays for the PPE may be left to labor-management negotiations.

Examples of PPE that would not normally be used away from the worksite include, but are not limited to: welding gloves, wire mesh gloves, respirators, hard hats, specialty glasses and gloves (e.g., designated for laser or ultraviolet radiation protection), specialty foot protection (such as metatarsal shoes and linemen’s shoes with built in gaffs), face shields and rubber gloves, blankets, cover-ups, hot sticks and other live-line tools used by power generation workers.

Examples of PPE that is personal in nature and often used away from the worksite include non-specialty safety glasses, safety shoes, and cold-weather outerwear of the type worn by construction workers. However, shoes or outerwear subject to contamination by carcinogens or other toxic or hazardous substances which cannot be safely worn off-site must be paid for by the employer. Failure of the employer to pay for PPE that is not personal and not used away from the job is a violation of 1910.132(a) and shall be cited.