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16. Abstract (Limit: 200 words) This testimony comments on the OSHA proposed revisions to Subpart M, Fall Protection. Specifically the comments concern the definition of leading edges to mean the edge of a floor, roof, or form work which changes location as additional floor, roof or form work sections are placed, formed, or constructed. It is not clear whether this definition applied to both the temporary and permanent components of floor decking during its installation in multi floor buildings. A second comment concerns the requirements to have fall protection, and stresses that required protection only for those operations 16 feet or more above lower levels is inadequate for worker safety. NIOSH suggests that OSHA state that the first worker allowed on the roof or leading edge is designated as the competent person under the requirements of the safety monitoring system, if that is indeed the intent of OSHA. Additional concerns are voiced with regard to wall openings, safety nets, belt and harness systems, securing of positioning devices, and safety monitoring systems.			13. Type of Report & Period Covered
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NIOSH

Comments to DOL

**COMMENTS OF THE
NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH
ON
THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
NOTICE OF PROPOSED RULEMAKING ON SAFETY STANDARDS
FOR FALL PROTECTION IN THE CONSTRUCTION INDUSTRY**

**29 CFR Part 1926
Docket No. S-206**

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
Public Health Service
Centers for Disease Control
National Institute for Occupational Safety and Health**

February 25, 1987

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The National Institute for Occupational Safety and Health (NIOSH) offers the following comments on the Occupational Safety and Health Administration (OSHA) proposed revisions to Subpart M - Fall Protection.

In § 1926.500, OSHA defines "leading edge" to mean the edge of a floor, roof, or form-work which changes location as additional floor, roof or form-work sections are placed, formed, or constructed. Leading edges not actively under construction are considered to be "unprotected sides and edges." It is not clear whether this definition applies to both the temporary and permanent components of floor decking during its installation in multi-floor buildings. It is also unclear as to whether this definition encompasses the installation of roof sheathing on houses. If the definition of a "leading edge" encompasses all these situations, then those workers performing the jobs will have to rely on safety monitoring systems alone, § 1926.500(b), to protect them. NIOSH does not believe that these systems provide adequate protection in these types of situations.

In § 1926.501, Requirements to have fall protection, (b)(2) Leading edges (i), employers are given several options for providing protection for workers constructing leading edges six feet or more above lower levels. These options include: guardrail systems, body belt/harness systems, safety net systems, or safety monitoring systems. Because the safety monitoring system relies on visual inspection only, it is unlikely to provide adequate protection to workers connecting steel, concrete, wood or fiber glass structural components. Therefore, NIOSH recommends that the use of safety monitoring systems, should be deleted as an option in § 1926.501(b)(2)(i).

NIOSH believes that requiring fall protection in § 1926.501(b)(10) and § 1926.501(c), only for those operations 16 feet or more above lower levels, is inadequate.

There must be greater concern for worker safety on roofs with steep pitches as opposed to low pitches, because the probability of a fall is greater. Based upon the prudent judgment and experience of NIOSH researchers, a maximum fall distance of 6 feet should be specified for all roofing work. The standard could address the hazard differences between these two working conditions by allowing an appropriate safety monitoring system (including designated workers) for flat and low pitch roofs and the more comprehensive requirements specified under § 1926.501(c) for workers on roofs with steep pitches.

In § 1926.502(a)(2), OSHA should clearly state that the first worker allowed upon a roof or leading edge is designated as the competent person under the requirements of the safety monitoring system, if that is, in fact, OSHA's intent.

On page 42723 of the Federal Register, the OSHA preamble discusses provisions of § 1926.500(c)(1) for wall openings. In this discussion OSHA explains that a wall opening is to be defined to be 30 inches or more high and 18 inches or more wide. In the proposed provisions at § 1926.502(b)(1) and (b)(2)(iii) openings as large as 42 inches high and 19 inches wide would be allowed. NIOSH believes that the provisions of § 1926.500(c)(1), and § 1926.502(b)(1) and (b)(2)(iii), should be made consistent.

§ 1926.502(c)(4)(i) requires the testing of safety nets at the job site before they are approved for use as a fall protection system. OSHA should clarify whether testing will be required each time the safety net is moved to a different location at the job site.

§ 1926.501(d)(12) requires that body belt/harness systems shall be secured to anchorages capable of supporting at least twice the potential impact load of an employee's fall. OSHA should specify that a supervisor or a site safety officer should make this determination.

§ 1926.502(e)(3) requires the worker to determine which points are acceptable for securing positioning devices. NIOSH believes that this should be an employer responsibility and that, as in (d)(12) above, OSHA should specify that a supervisor or a site safety officer should make this determination.

Finally, NIOSH recommends that § 1926.502(h) safety monitoring systems should be modified to include: the number of workers that can be monitored by one person, the area over which these workers may be distributed, and the upper limit on the background noise level to ensure adequate communication over the entire area. We recommend that OSHA attempt to resolve these issues during the remainder of the rulemaking process.

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