



Oregon Occupational Safety & Health Division Technical Guidance

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TO: All Oregon OSHA Staff

FROM: Trena VanDeHey, Standards & Technical Resources, Manager

SUBJECT: Applicable fall protection requirements when employees use ladders or are exposed to fall hazards from vehicles or trailers during construction activities.

Question: Does the fall protection requirement of [437-003-1501\(1\), General](#) requires employers to protect employees from fall hazards of six feet or more from ladders, vehicles, or trailers to a lower level during construction activities?

Answers: No, in Oregon, [437-003-1501\(1\)](#) is not the most applicable rule for addressing fall hazards from ladders, vehicles, or trailers during construction activities. See the specific answers for each provided below:

Portable Ladders: Subdivision 3/M, Fall Protection specifies under 1926.500(a)(2)(vii), “Requirements relating to fall protection for employees working on stairways and ladders are provided in subpart X of this part.” However fall protection requirements under, [Subdivision 3/X, Stairways and Ladders](#) do not include conventional fall protection systems (fall arrest systems, fall restraint, positioning device system, etc.) when using portable ladders. Therefore, conventional fall protection systems under Subdivision 3/M are not required when employees use portable ladders for construction activities.

Fixed Ladders: Subdivision 3/M, Fall Protection, specifies under 1926.500(a)(2)(vii), “Requirements relating to fall protection for employees working on stairways and ladders are provided in subpart X of this part.” When the ladder requirements within [Subdivision 3/X, Stairways and Ladders](#) are referenced, there are conditions within the rule where conventional fall protection systems are required during fixed ladder use. Therefore, conventional fall protection systems may be required when employees use fixed ladders during construction activities. Such requirements are based on each fixed ladder’s dimensional characteristics [See 1926.1053(a)(18) and (19)].

Vehicles and trailers: When an employee engaged in a construction activity is on a vehicle or trailer surface not specifically covered by the scope and application of Division 3/M, such as a crane covered by Subdivision 3/CC, the motor vehicle and rolling stock fall protection requirements in Division 2/I, Personal Protective Equipment contains the

most applicable rule. [437-002-0134\(5\), Motor and Rolling Stock Vehicles](#) requires employers to protect employees from fall hazards when working on motor vehicles and rolling stock surfaces more than 10 feet above a lower level. Since a fall to a lower level when working from motor vehicles and rolling stock surfaces is a recognized hazard and working from elevated motor vehicle and rolling stock surfaces is not a process or practice limited to the construction industry, employers engaged in construction must follow [437-002-0134\(5\), Motor and Rolling Stock Vehicles](#) to protect workers from such fall hazards, due to the additional applicability requirement under [437-003-0005](#).

437-003-0005, Additional Applicability states: *“If a specific type of equipment, process or practice is not limited to the construction industry, the provisions contained in other Divisions of OAR 437, Oregon Occupational Safety and Health Code, shall apply.”*