



# Oregon

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February 22, 2013

[Text of changes](#)

## Oregon OSHA – Adopted Changes To Personal Protective Equipment (PPE) in Construction, And Hole Openings/Skylights in General Industry

### **Personal Protective Equipment in Construction:**

Oregon OSHA is revising the personal protective equipment (PPE) sections of its construction standards regarding requirements for eye and face protective devices, head protection, foot protection, extremities and torso to include protective clothing, respiratory devices, and protective shields and barriers.

Oregon OSHA updated the Division 2, subdivision I, Personal Protective Equipment references in its regulations on December 8, 2011. The update referenced more recent editions of applicable national consensus standards and removed requirements that employers prepare and maintain written training certification records. Oregon OSHA repealed all of Division 2/I rules with some exceptions and replaced them with a new Oregon initiated rule, 437-002-0134 Personal Protective Equipment, that includes sections covering the scope/application, hazard assessment, equipment, training, payment, fall protection, clothing, high visibility garments, and eye, head, foot, leg, hand and skin protection.

The change was mostly a format change that simplified the existing text while making little change to the overall rule requirements with a few exceptions. Oregon OSHA modified the hazard assessment requirement to clarify that employers must identify hazards to the entire body, including the torso and extremities, when performing the assessment. The assessment previously was limited to head, hands, eyes and face and foot protection.

We are removing the current PPE requirements in various locations of the construction standard and replacing them with the same requirements that are in General Industry standards of Division 2, Subdivision I. These requirements (with the exception of a written assessment certification) will be substantially similar allowing for greater consistency in construction and general industry.

The design requirements for eye and face-protective devices, head protection, and foot protection are currently the same in Division 2 General Industry, Shipyard Employment, Marine Terminals, Longshoring, and Division 3 Construction. These revisions are a continuation of Oregon OSHA's effort to update consensus and industry standards.

**Personal Protective Equipment in General Industry:**

Oregon OSHA is also amending the general industry PPE rule 437-002-0134, to include ANSI Z89.1-2009, American National Standard for Industrial Head Protection, as another option of compliance, as published in the June 22, 2012 Federal Register.

[http://www.osha.gov/FedReg\\_osha\\_pdf/FED20120622A.pdf](http://www.osha.gov/FedReg_osha_pdf/FED20120622A.pdf)

**Hole Openings (including skylights) in General Industry:**

Oregon OSHA is also changing the hole covering requirements for holes in floors, roofs, and other walking/working surfaces (to include skylights and skylight screens). Currently employers in construction and general industry have different hole cover strength criteria. To eliminate the confusion and inconsistency, Oregon OSHA is changing the general industry requirements to be the same as the construction requirements as referenced in the Federal OSHA proposal for walking working surfaces and personal protective equipment (fall protection) found in the May 24, 2010 Federal Register [http://www.osha.gov/FedReg\\_osha\\_pdf/FED20100524.pdf](http://www.osha.gov/FedReg_osha_pdf/FED20100524.pdf) .

Oregon OSHA received no comments concerning this rulemaking during the comment period including three public hearings. These amendments are made in general industry and construction, and will have a **delayed effective date of April 1, 2013.**

This is Oregon OSHA Administrative Order 2-2013, adopted February 15, 2013, and **effective April 1, 2013.**

Please visit our web site [www.orosha.org](http://www.orosha.org) Click 'Rules' in the left vertical column and view our proposed, adopted, and final rules.

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Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on February 15, 2013 by the  
Date prior to or same as filing date

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437  
Agency and Division Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE, Salem OR 97301-3882 503-947-7449  
Rules Coordinator Address Telephone

to become effective April 1, 2013 as Oregon OSHA Administrative Order 2-2013.  
Date upon filing or later

Rulemaking Notice was published in the January 2013 Oregon Bulletin.\*\*  
Month and Year

### RULE CAPTION

Adopt changes to personal protective equipment (PPE) in construction, and hole openings/skylights in general industry.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

### RULEMAKING ACTION

**ADOPT:** OAR 437-002-0023, 437-003-0134

**AMEND:** OAR 437-002-0020, 437-002-0134, 437-003-0001

**REPEAL:** OAR 437-003-0128

**ORS** 654.025(2), 656.726(4)

Stat. Auth.

**ORS** 654.001 through 654.295

Stats. Implemented

### RULE SUMMARY

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/s/Michael D. Wood  
Authorized Signer

Michael D. Wood  
Printed name

2/14/2013  
Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

\*\*The *Oregon Bulletin* is published on the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.  
ARC 930-2005