March 10, 2016

Oregon OSHA – Adopted Changes to Slide Guard Use Rules in Construction

In November of 2015, Oregon OSHA proposed to revise the general fall protection requirements covered under Division 3 (Construction Industry), Subdivisions 3/M (Fall Protection), as requested by federal OSHA. The proposed revisions to Subdivision 3/M, includes revoking the use of slide guards as a sole or primary fall protection system.

Five public hearings were held during January of 2016. Oregon OSHA received oral testimony in addition to written comments. Several comments received opposed the elimination of slide guards as an acceptable method of fall protection. Reasons for the opposing comments included, but were not limited to; the belief that slide guards are an effective method of fall protection, and are largely accepted; employers’ difficulty of ensuring employees follow company policy to use personal fall protection systems; a potential increase of exposures to falls for delivery employees needing to install their own fall protection system rather than relying upon already installed slide guards; having multiple employees engaged in roofing work while wearing ropes and harnesses increases trip hazards; ropes can catch on and knock over stacks of material; using ropes and harnesses can slow down the job; and lack of data that supports the opinion that slide guards are not an effective means of fall protection.

Oregon OSHA considered all comments received. However, since federal OSHA’s request was not based on data related to enforcement, but rather on the literal effectiveness of the rule itself, presuming it is followed, Oregon OSHA must comply with federal OSHA’s request.

This is Oregon OSHA Administrative Order 2-2016, adopted March 1, 2016, and effective October 1, 2017.

Oregon OSHA contacts:
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Note: Incompliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.
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<table>
<thead>
<tr>
<th>Rules Coordinator Name</th>
<th>Email Address</th>
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<tbody>
<tr>
<td>Sue C. Joye</td>
<td><a href="mailto:Sue.C.Joye@state.or.us">Sue.C.Joye@state.or.us</a></td>
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PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on March 1, 2016 by the 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 October 1, 2017 as Oregon OSHA Administrative Order 2-2016.
Date upon filing or later
Rulemaking Notice was published in the December 2015 Oregon Bulletin.**
Month and Year.

RULE CAPTION

Adopt changes to slide guard use rules in construction.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 437-003-0503, 437-003-1500
REPEAL: OAR 437-003-3502
ORS 654.025(2), 656.726(4)
ORS 654.001 through 654.295
Stat. Implemented

RULE SUMMARY

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Authorized Signer

Michael D. Wood 3/1/2016
Printed name Date

*With this original, file one photocopy of certification, 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 16th 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