



# Oregon

Kate Brown, Governor

Department of Consumer and Business Services

Oregon Occupational Safety and Health Division

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[Text of changes](#)

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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Please visit our web site [osha.oregon.gov](http://osha.oregon.gov) and click 'Rules' in the left vertical column to view/print our proposed, adopted, and final rules.

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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**PERMANENT ADMINISTRATIVE RULES**

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I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on Upon filing, by the  
Department of Consumer and Business Services, Oregon Occupational Safety and Health 437

Agency and Division

Administrative Rules Chapter Number

Sue C. Joye

(503) 947-7449

Rules Coordinator

Telephone

350 Winter St. NE , Salem, OR 97301-3882

Address

To become effective 10/01/2017 Rulemaking Notice was published in the December 2015 Oregon Bulletin.

**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**

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:**

437-003-0503, 437-003-1500

**REPEAL:**

437-003-3502

**RENUMBER:**

**AMEND AND RENUMBER:**

**Statutory Authority:**

ORS 654.025(2), 656.726(4)

**Other Authority:**

**Statutes Implemented:**

ORS 654.001 through 654.295

**RULE SUMMARY**

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.

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Sue C. Joye

Sue.C.Joye@state.or.us

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Rules Coordinator Name

Email Address

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 March 1, 2016 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 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

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**REPEAL:** OAR 437-003-3502

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Stat. Auth.

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Authorized Signer

Michael D. Wood  
Printed name

3/1/2016  
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