



New Enforcement for Fall Protection in Residential Construction

Since 1995, the Occupational Safety and Health Administration (OSHA) has required employees working in residential construction, who are exposed to fall hazards greater than six feet, to be protected by conventional fall protection, i.e. standard guardrails, safety net systems, or personal fall arrest systems. In June of 1999, OSHA instituted the Plain language revision of OSHA Instruction STD 3.1, Interim Fall Protection Compliance Guidelines for Residential Construction. Simply stated, this interim guideline permitted employers engaged in residential construction to use non-conventional fall protection measures without having to show infeasibility of conventional fall protection, or that conventional fall protection created a greater hazard to the worker.

As of June 16, 2011, OSHA has rescinded STD 3.1, Interim Fall Protection Compliance Guidelines for Residential construction, and replaced it with STD 03-11-002, Compliance Guidelines for Residential Construction. Under this new policy, employers engaged in residential construction must comply with 29 CFR 1926.501(b)(13).

Key changes addressed by the new compliance guidelines include:

- Employers will need to follow 29 CFR 1926 Subpart M Fall Protection Regulations.
- Employers will be required to demonstrate the infeasibility of the required conventional fall protection systems **or** that such systems create a greater hazard if using alternative fall protection measures and a fall protection plan.
- The employer has the burden of establishing that it is appropriate to implement a fall protection plan.
- A qualified person (i.e., person with a degree or extensive experience and who has the ability to solve fall protection problems at the jobsite) must develop a site-specific, written fall protection plan when alternative fall protection methods are used.
- A single, written fall protection plan can be developed for repetitive use (e.g., for a particular style or model of home), as long as the plan fully addresses all issues related to fall protection at each site.
- The use of alternative fall protection measures is limited to "residential construction", meaning (1) the end-use of the structure being built is a home (i.e., a dwelling), and (2) the structure being built is constructed using traditional wood frame construction materials and methods (which also includes cold-formed sheet metal stud framing and masonry brick or block construction).



Key changes addressed by the new compliance guidelines include (continued):

- Slide guards will no longer be permitted to be used in lieu of conventional fall protection methods during roofing work (removal, repair, or installation of weatherproofing roofing materials, such as shingles, tile, and tar paper). However, slide guards may be used as part of a written, site-specific fall protection plan that meets the requirements of 29 CFR 1926.502(k) if the employer can demonstrate that the use of conventional fall protection would be infeasible *or* create greater hazards.
- When roofing work is performed on low-slope roofs (i.e. 4 inch 12 pitch or less), safety monitoring systems can still be used in conjunction with a warning line system to protect workers on the roof. When such a roof is 50 feet or less in width, a safety monitoring system can be used alone and without a warning line system. Safety monitoring systems must meet the requirements of OSHA 29 CFR 1926.502(h).

If an employer is not complying with either the new directive or the old directive, the OSHA Area Director shall issue appropriate citations.

For additional compliance assistance, OSHA has developed a Residential Fall Protection Web Page at www.osha.gov/doc/topics/residentialprotection/index.html.