Fall Protection in Residential Construction

Falls are the leading cause of death for workers engaged in residential construction

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On December 16, 2010, OSHA issued STD 03-11-002, *Compliance Guidance for Residential Construction*, which rescinds STD 03-00-001, *Interim Fall Protection Compliance Guidelines for Residential Construction*, and provides that OSHA will be enforcing 29 CFR 1926.501(b)(13) for all residential construction work on or after September 15, 2011.

Prior to the issuance of this new directive, the old rule allowed employers engaged in certain residential construction activities to use specified alternative methods of fall protection such as slide guards or safety monitor systems rather than the conventional fall protection of guardrails, safety nets, or personal fall arrest systems required by the residential construction fall protection standard. Employers could use the alternative measures described in STD 03-00-001 without first proving that the use of conventional fall protection was infeasible or created a greater hazard and without a written fall protection plan. *Infeasible* means that it is impossible to perform the construction work using a conventional fall protection system (i.e., guardrail system, safety net system, or personal fall arrest system) or that it is technologically impossible to use any one of these systems to provide fall protection.

With the issuance of the new directive, all residential construction employers must comply with 29 CFR 1926.501(b)(13).

Under 29 CFR 1926.501(b)(13), workers engaged in residential construction six feet or more above lower levels must be protected by conventional fall protection. In other words, guardrail systems, safety net systems, or personal fall arrest systems or other fall protection measures are allowed elsewhere in 1926.501(b). Although the standard does not mention personal fall restraint systems, OSHA may accept a properly utilized fall restraint system in lieu of a personal fall arrest system when the restraint system is rigged in such a way that the worker cannot get to the fall hazard. If an employer can demonstrate that the fall protection required under 1926.501(b)(13) is infeasible or presents a greater hazard, it must instead implement a written fall protection plan meeting the requirements of 1926.502(k).

The Agency's interpretation of "residential construction" for purposes of 1926.501(b)(13) combines two elements – both of which must be satisfied for a project to fall under that provision:

- The end-use of the structure being built must be as a home, i.e., a dwelling; and
- The structure being built must be constructed using traditional wood frame construction materials and methods.

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The limited use of structural steel in a predominantly wood-framed home, such as a steel I-beam to help support wood framing, does not disqualify a structure from being considered residential construction. Traditional wood frame construction materials and methods will be characterized by:

- Framing materials: Wood (or equivalent cold-formed sheet metal stud) framing, not steel or concrete; wooden floor joists and roof structures.
- Exterior wall structure: Wood (or equivalent cold-formed sheet metal stud) framing or masonry brick or block.
- Methods: Traditional wood frame construction techniques.

Fall protection used to comply with 1926.501(b)(13), including guardrail systems, safety net systems, and personal fall arrest systems, must meet and be used in accordance with applicable requirements in 1926.502. Requirements for work performed on scaffolds, ladders, and aerial lifts are in Part 1926 – Subpart L, Subpart X, and 1926.453, respectively.

OSHA has now provided, "Fall Protection in Residential Construction," a guidance document that describes various methods that residential construction employers may be able to use to prevent fall-related injuries and fatalities at various points in the residential construction process.

This guidance document may be accessed at: www.osha.gov/doc/guidance.pdf

Please contact your Acadia agent with any questions.

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