ARTBA 2004 Roadway Work Zone Safety Conference

Changes in High Visibility PPE

OSHA's Directorate of Construction, Camille Villanova
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2004 Roadway Work Zone Safety Conference, November 3, 2004

Roadway Worker Safety and Health Controls and Devices

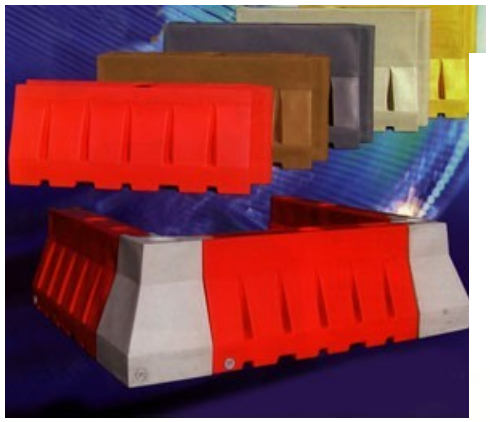
Engineering Controls

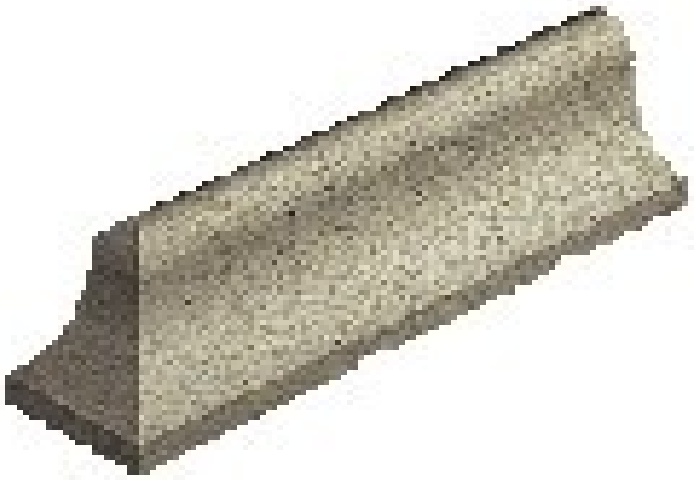
Administrative Controls

Personal Protective Devices

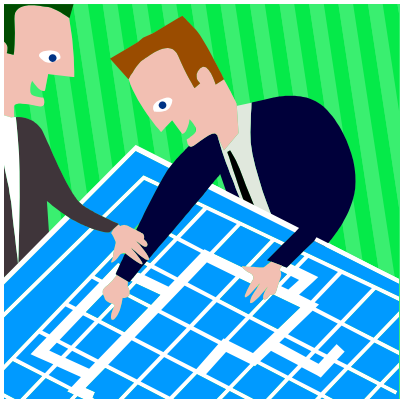
Engineering Controls

Prevent worker exposures by managing the work environment





Administrative Controls



Work Practices, Monitoring, ITS, Traffic Control Plans, Alarm Systems, Signs, Signals, Deformable Barriers

Personal Protective Devices

High Visibility/Retroreflective Vests and Clothing, Hard Hats, Training, Rotation, Scheduling

From the training CD, ARTBA, Laborer's, NAPA, IOUE

BEGIN INSTRUCTION ZONE

Runovers/Backovers

ROADWAY SAFETY 4

How Can We Be Safe When Placing TCDs?

Simple precautions make placement of TCDs (Traffic Control Devices) safer.

Workers should

- Wear a Class III vest to be easily seen
- Place, relocate, or remove TCDs when traffic flow is light
- When possible, work from platform on vehicle
- Use seat, seatbelt, fall restraint, or guardrail and a handhold when guardrail must be removed
- Stay in constant communication with driver
- Use shadow vehicle to warn drivers

From the training CD, ARTBA, Laborer's, NAPA, IOUE

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OSHA's

Laws
Standards
Regulations
Policies
Interpretations

Law, Public Law 91-596

OSH Act SEC. 5. Duties

29 USC 654

(a) Each employer

(1) shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees;

Standards and Regulations

Title 29
Code of Federal Regulations
(CFR)
Part 1926
Safety and Health
Regulations for Construction

Standards and Regulations

Some Applicable 1926 Standards:

1926.20 (b)(2) - programs

1926.21 (b)(2) – training

1926.95 (a) & (c) – **PPE** selection

1926.200 (g) - signs

1926.201 (a) - flaggers

1926.202 - barricades

1926.651 (d) – traffic and trenches

Subpart Q

September 2002 OSHA updated their standards to incorporate the
1988 MUTCD revision 3
or
2000 MUTCD

Subpart Q Revisions

Recognizes
high visibility garments
for flaggers

Subpart E Personal Protective and Life Saving Equipment

1926.95 (a)

... **protective clothing** ... **shall be provided, used, and maintained in a sanitary and reliable condition** ... **wherever it is necessary by reason of hazards of processes or environment** ... **encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.**

1926.95 (c)

All personal protective equipment shall be of safe design and construction for the work to be performed.

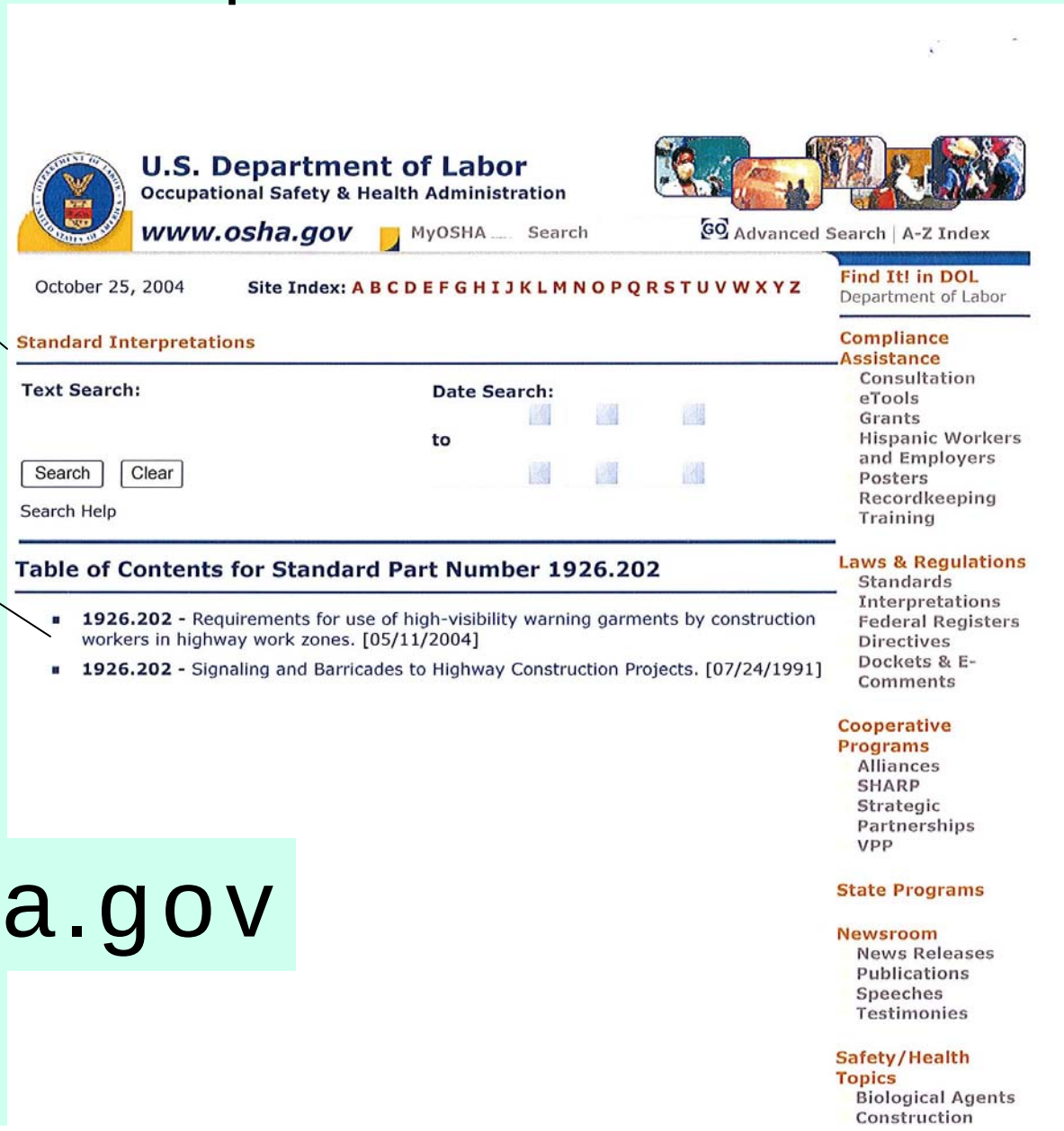
Policies and Interpretations

- OSHA National Instructions
- OSHA Regional Instructions
- Letters of Interpretation

Polices and Interpretations

Standards Interpretations

Standard Number



www.osha.gov

Standard Interpretations

05/11/2004 - Requirements for use of high-visibility warning garments by construction workers in highway work zones.

Standard Interpretations - Table of Contents

- **Standard Number:** 1926; 1926.200; 1926.201; 1926.202; 1926.203; 1926.201(a); 1926.200(g)(2); 1926.651(d)

OSHA requirements are set by statute, standards and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at http://www.osha.gov.

May 11, 2004

Mr. Bradley M. Sant, Esq.
Vice President, Safety & Education
American Road & Transportation Builders Association
1010 Massachusetts Avenue, NW
Washington DC 20001

Re: Whether use of high-visibility warning garments by construction workers in highway work zones is required.

Dear Mr. Sant:

This is in response to your e-mails dated March 11, 2004, to the Occupational Safety and Health Administration (OSHA)'s Directorate of Construction. You asked for clarification on OSHA's policy regarding the Federal Highway Administration (FHWA)'s 2003 *Manual of Uniform Traffic Control Devices* (MUTCD) with regard to high-visibility apparel. We have paraphrased your questions as follows:

Question (1): In effect, the FHWA's *Manual of Uniform Traffic Control Devices* (MUTCD) has become a national benchmark for traffic control devices on all roads. In September 2002, OSHA amended its construction standards for signs, signals, and barricades in Subpart G of 29 CFR Part 1926[1] to incorporate use of the MUTCD -- either the 1988 Edition, Revision 3 (from 1993), or the "Millennium Edition" (published in December 2000). However, FHWA has now amended the MUTCD several times subsequent to issuance of the 1988 Edition, Revision 3 (from 1993), or the "Millennium Edition." Will OSHA promulgate further amendments and/or revisions to Subpart G to follow the FHWA amendments to the MUTCD, such as those regarding high-visibility apparel?

Re: Whether use of high-visibility warning garments by construction workers in highway work zones is required.

from May 11, 2004 Letter of Interpretation

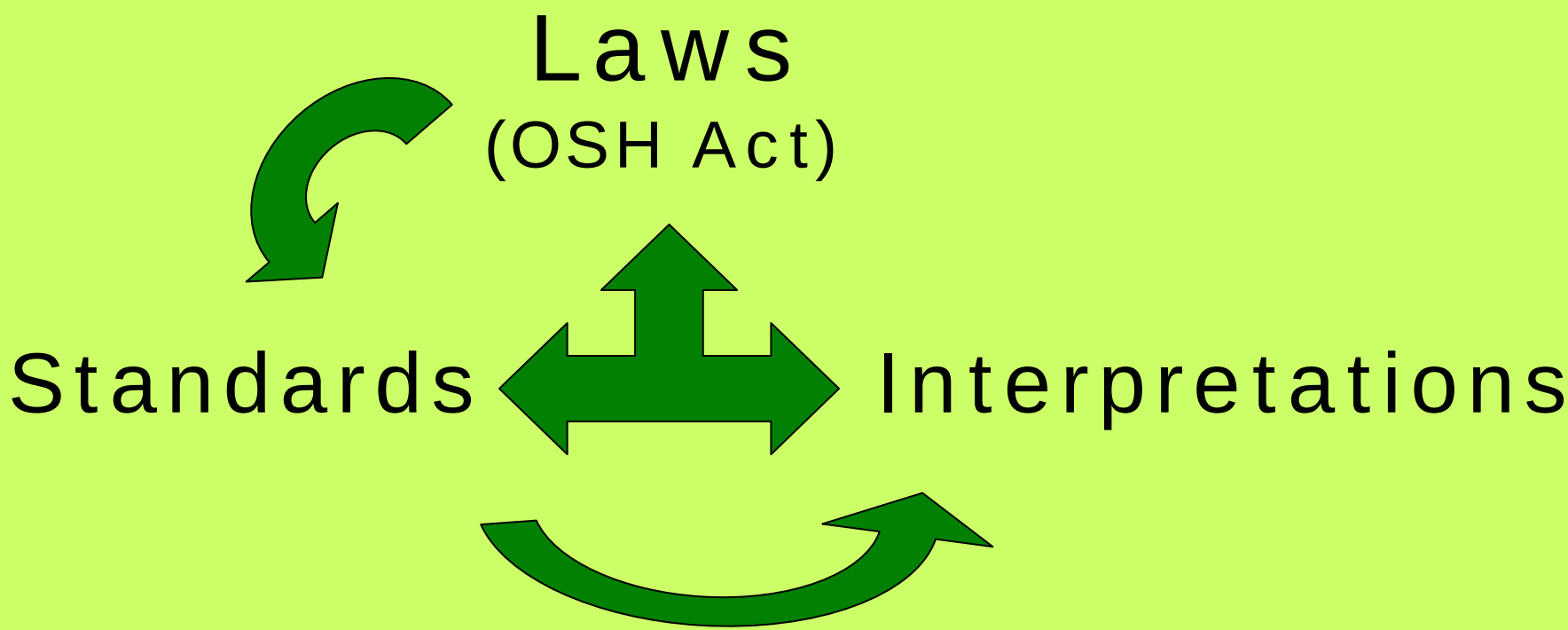
Other than the use of flaggers,
Subpart G does not address
the circumstances in which it is necessary
to provide warning garments
to protect against the hazard posed by
traffic.
... It is well recognized in the construction
industry that construction workers ...
need to be protected from traffic. ...
In such cases, Section 5(a)(1) requires
the use of such garments. ...

OSH Act 5 (a)(1)

Recognized industry practice:
MUTCD and ANSI/ISEA 107

1926. 95 (a) & (c)

Criteria for personal protective equipment
Protective equipment ... shall be provided, used, and maintained in a sanitary and reliable condition wherever
it is necessary ... by reason of hazards ... capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact... All PPE shall be of a safe design...


Laws
(OSH Act)
Standards
Interpretations

BEGIN INSTRUCTION ZONE

Runovers/Backovers

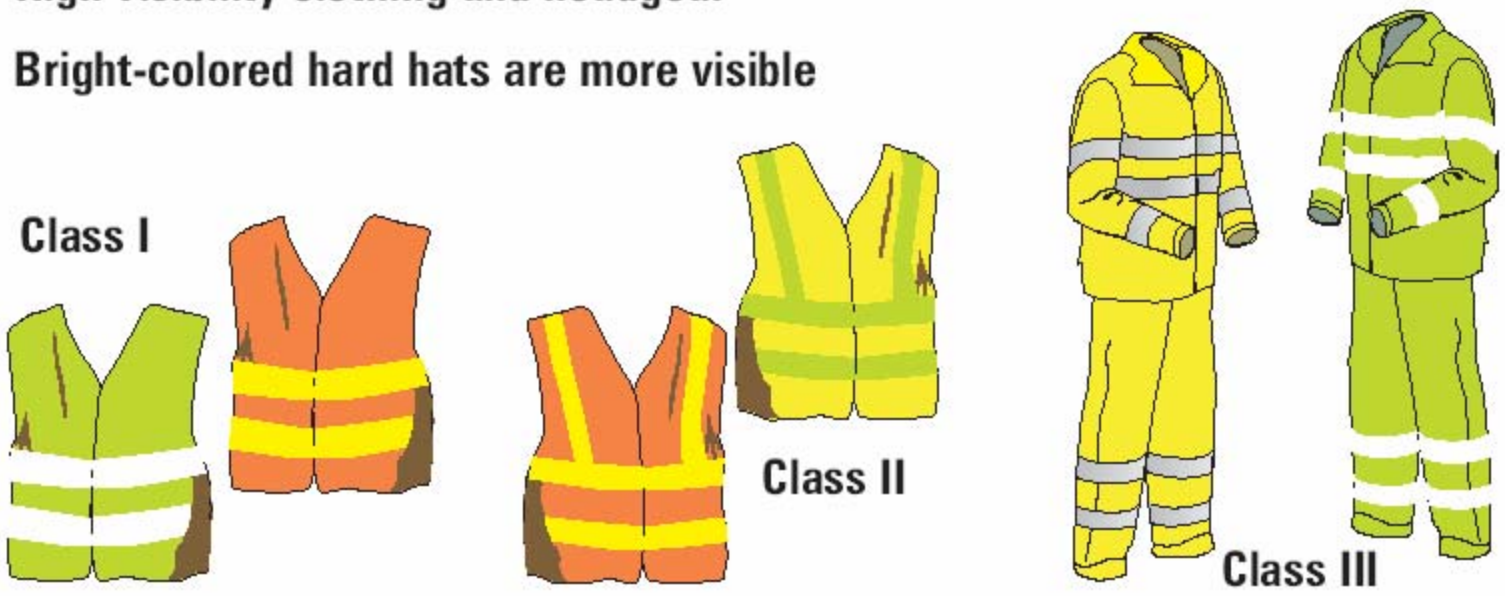
ROADWAY SAFETY 2

What Other Precautions Do We Need?

Employers must provide proper PPE.

Workers must wear personal protective equipment (PPE)

- Proper class of safety vest at all times in the work zone
- High-visibility clothing and headgear
- Bright-colored hard hats are more visible



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