

Walking-Working Surfaces Rule: An Essential Guide to Fixed Ladders Compliance



A special report from MSA, The Safety Company

There's been a lot of talk about the final rule updates and revisions to OSHA's General Industry Walking-Working Surfaces Standard 29 CFR part 1910, subpart D—no doubt because the changes and what they mean for worker safety are substantial. In fact, OSHA estimated that the rule changes could prevent 29 fatalities and 5,842 lost-workday injuries annually, and that the annual monetized benefits of lives saved and injuries prevented could be as much as \$614.5 million.

According to OSHA, the update to the Walking-Working Surfaces Rule not only reflects technological advances in personal fall protection systems, it also incorporates industry best practices that were unheard of when OSHA initially adopted the rule in 1971.

Further, it draws many of its provisions from national consensus standards, including ANSI/ASSE Z359.1-2007 Safety Requirements for Personal Fall Arrest Systems, Subsystems and Components.

"OSHA BELIEVES THAT THE REORGANIZED FORMAT WILL INCREASE EMPLOYER UNDERSTANDING OF, AND COMPLIANCE WITH, THE FINAL RULE."

[Docket # OSHA-2007-0072, Walking-Working Surfaces; Personal Protective Equipment (Fall Protection Systems)]

This paper discusses what General Industry employers and safety managers need to know about the OSHA 1910 update, as well as what to do to address compliance for the Fixed Ladders provision on or before the effective date.

- How does OSHA define Fixed Ladders?
- What are the safety requirements for Fixed Ladders?
- How do the changes give employers greater fall protection flexibility?
- What are the accepted fall protection systems for the Fixed Ladders provision?
- When do employers have to comply?

Key Takeaways

- The new rule helps make compliance easier and less costly
- There's now greater flexibility in choosing the best fall protection system for the job
- Employers have until Nov. 18, 2036 to replace cages and wells used as fall protection

Introduction

According to OSHA, falls, from height and on a working surface (the same level) are among the leading causes of work-related fatalities and injuries. In fact, preventing over two dozen worker deaths and nearly 6,000 lost-workday injuries each year was at the heart of OSHA's 2016 update to its 1971 General Industry CFR 1910 regulations for Walking-Working Surfaces and Personal Fall Protection Systems.

The rule affects a wide range of General Industry workers. While the update does not change Construction Industry standards (which were updated in 1994), it more closely aligns both sets of standards to better protect the worker.

Through an analysis of U.S. Bureau of Labor Statistics data, OSHA found that falls constitute a "significant risk" and determined that the new standards would "substantially reduce the risk of falls to employees." As such, the new rule includes detailed ladder safety requirements, including those for Fixed Ladders. The requirements do not apply to ladders that are integral to or designed into a machine or piece of equipment.

Of special importance to employers is this: CFR 1910 now gives employers the flexibility to determine which method of fall protection they deem best suited for their particular workplace situation.

What is a Fixed Ladder?

OSHA defines a Fixed Ladder as a ladder with rails or individual rungs that is permanently attached to a structure, building, or equipment.

Specific to the fall protection requirements detailed in 1910.28(b)(9), OSHA says that fixed ladders over 24 feet must be measured from the ground/lower level to the top of the fixed ladder.

Although OSHA considers a ladder attached to equipment, a side-step ladder, and a through ladder Fixed Ladder types, it does not consider ship stairs (ship ladders), step bolts, and manhole steps as such.

Fixed Ladder Standards

The standards for Fixed Ladders as outlined in the final rule require that fixed ladders over 24 feet be equipped with ladder safety or personal fall protection systems.

The reason? To prevent workers from falling in the first place or, in the event of a fall, to arrest the fall before the worker makes contact with a lower level.

The rule also prohibits the use of body belts, requiring of body harnesses instead, in order to better distribute fall arrest forces over a larger area of the user's body.

Fixed Ladder Compliance Considerations

Making sense of the new rules may have safety managers questioning what to do to ensure compliance with CFR 1910.

Here are some things to know about the installation, use, and training of fall protection on all Fixed Ladders over 24 feet.

Who is affected?

All general industry workplaces: building management services, utilities, warehousing, retail, window cleaning, chimney sweeping, and outdoor advertising.

Where is it required?

All horizontal and vertical walking-working surfaces, such as floors, stairs, roofs, ladders, ramps, scaffolds, and elevated walkways.

Does the new rule still include an exception for the outdoor advertising industry?

No. The new rule phased out the 1993 exception for the outdoor advertising industry, which allowed "qualified climbers" to forego fall protection. To be clear, the new requirements for 1910 Subpart D – Walking-Working Surfaces do apply to fixed ladders used in outdoor advertising activities.

What is the timeline for the update to the General Industry Walking-Working Surfaces and Fall Protection Standards?

Jan. 17, 2017: The final rule became effective.

Nov. 19, 2018: Personal fall arrest or ladder safety systems on new fixed ladders over 24 feet and on replacement ladders/ladder sections, including fixed ladders on outdoor advertising structures must be installed. Existing fixed ladders over 24 feet, including those on outdoor advertising structures, must be equipped with a cage, well, personal fall arrest system, or ladder safety system.

Nov. 18, 2036: Cages and wells used as fall protection with ladder safety or personal fall arrest systems on all fixed ladders over 24 feet must be replaced.

New Installations

Here's a synopsis of the rule regarding new installations:

Employers must install PFAS or ladder safety systems on new fixed ladders over 24 feet and on replacement ladders/ladder sections, including fixed ladders on outdoor advertising structures. Cages and wells will not be acceptable after the effective date.

For complete regulatory language, visit [OSHA.gov](https://www.osha.gov).

Existing Installations

Here's a synopsis of the rule regarding existing installations:

Employers must ensure that existing fixed ladders over 24 feet, including those on outdoor advertising structures, are equipped with a cage, well, PFAS, or ladder safety system. Fixed ladder, cage, well replacements, or any such sections must have PFAS or a ladder safety system installed on at least the replaced section. November 18, 2036 is the final deadline for fixed ladders, which means all fixed ladders must be equipped with a PFAS or ladder safety system.

For complete regulatory language, visit [OSHA.gov](https://www.osha.gov).

Criteria for Fall Protection Systems

The criteria for fall protection systems for Fixed Ladders is outlined in detail in OSHA 1910.29. Essentially, though, performance criteria for personal fall protection equipment in General Industry is similar to the criteria that's been used for Construction since 1994.

Here are just a few of the ladder safety systems requirements from 1910.29(i):

- Allows the worker to climb up and down using both hands, without requiring the worker to continuously hold, push, or pull any part of the system while climbing
- Is capable of withstanding, without failure, a drop test consisting of an 18-inch drop of a 500-pound weight
- When used, any connection between carrier or lifeline to the point of attachment to the body harness or belt mustn't exceed 9 inches

Conclusion

Because it presents employers and safety managers with an opportunity to re-think worker safety practices, PPE, and training, the Walking-Working Surfaces rule is a game-changer. Ultimately, CFR 1910 aims to create a safer workplace by protecting workers from fall hazards along unprotected sides or edges that are at least 4 feet above a lower level. Additionally, it aims to increase fall protection options, making compliance easier and less costly for employers and safety managers to understand and follow.

MSA—The Safety Company

MSA, founded in 1914 and headquartered in Cranberry Township, PA, is the global leader in the development, manufacture, and supply of safety products designed to protect people and facility infrastructure. Used around the world in a broad range of market segments including General Industry, MSA offers complete safety solutions, including PFAS and other fall protection equipment, to safeguard users against hazardous or life-threatening situations.

To find out how MSA can help employers and their safety managers comply with the new rule, understand their increased fall protection options, and protect the Walking-Working Surfaces worker, visit msasafety.com/fallprotection or call 800-672-2222.

Our Mission

MSA's mission is to see to it that men and women may work in safety and that they, their families and their communities may live in health throughout the world.

MSA: Because every life has a purpose.

SOURCES

<https://www.federalregister.gov/documents/2016/11/18/2016-24557/walking-working-surfaces-and-personal-protective-equipment-fall-protection-systems>

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MSA – The Safety Company
1000 Cranberry Woods Drive
Cranberry Township, PA 16066 USA
Phone 724-776-8600
www.MSAsafety.com
U.S. Customer Service Center
Phone 1-800-MSA-2222
Fax 1-800-967-0398

MSA Canada
Phone 1-800-672-2222
Fax 1-800-967-0398
MSA Mexico
Phone 01 800 672 7222