

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D C. 20210

Reply to the attention of:



AUG 22 2011

MEMORANDUM FOR: REGIONAL ADMINISTRATORS

FROM: JAMES G. MADDUX, Director *JM*
Directorate of Construction

SUBJECT: Fall protection on aerial lifts during construction activities.

On January 14, 2009, OSHA issued a letter of interpretation regarding the use of a particular shock absorbing lanyard to satisfy the requirements found in §1926.453(b)(2)(v). The Directorate of Construction has received inquiries from regional offices, area offices, and the public asking if the January 2009 letter banned the lanyard in question.

OSHA did not ban the particular lanyard but stated, based on the manufacturer's instructions, which stipulated a minimum anchor point height of 18.5 feet, that it was likely that the lanyard's use would not comply with OSHA standards at lower heights. In such cases, use of the lanyard below 18.5 feet would apparently not provide adequate fall protection. This determination has raised questions about the use of body harnesses, typically married with appropriate lanyards, for fall protection in aerial lifts. To help avoid any confusion on the issue, DOC is rescinding the January 2009 letter, #20070823-7896.

Under subpart L, employers must ensure that employees tie off at all times when working from an aerial lift [§1926.453(b)(2)(v)]. Employers must ensure that employees using personal fall arrest systems while working on aerial lifts at heights six feet or more above a lower level comply with §1926.502(d) of subpart M, specifically:

Personal fall arrest systems, when stopping a fall, shall:

...
(iii) be rigged such that an employee can neither free fall more than 6 feet (1.8 m), nor contact any lower level. [§1926.502(d)(16)(iii)]

However, §1926.502(d) does not require employers to comply with manufacturer's instructions when using personal fall arrest systems. To cite §1926.502(d)(16)(iii), the facts must show that the personal fall arrest system would permit a free fall of more than six feet or would permit contact with a lower level—and not base this conclusion solely on information provided by the manufacturer.