



MIOSHA Fact Sheet

Construction Safety & Health Division

Residential Fall Protection

New Requirements for Residential Fall Protection Adopted

Federal OSHA has issued new fall protection requirements which go into effect on June 16, 2011. The Michigan Occupational Safety and Health Administration (MIOSHA) is required to adopt these changes which **will go into effect on June 16, 2011**, in Michigan as well.

With these new fall protection requirements, **all residential construction employers must comply with Construction Safety Standard Part 45. Fall Protection, 1926.501(b)(13).**

When working on high-pitched roofs with slopes exceeding 4 in 12 that are six or more feet above a lower level, fall protection such as guard rails, personal fall arrest systems (harnesses and lanyards) or safety nets must be used.

On all other walking/working surfaces where the height from one elevation to another is greater than six feet, guardrails or personal fall arrest systems (harnesses and lanyards) or safety nets must be used. However, employers who can demonstrate that these fall protection systems are not feasible, or create a greater hazard, can use a written site-specific plan outlining alternative fall protection measures that must be followed.

Alternate Fall Protection Plans

The use of fall protection plans is limited to “residential construction” in which the structure will be used as a home and constructed with traditional wood frame materials and methods.

Although 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.

The fall protection plan must be in writing and site-specific. However, a written plan developed for repeated use for a particular model or style of home will be considered site-specific. The fall protection plan must be available at the worksite.

New MIOSHA Enforcement Policy

On March 25, 2011, the Construction Safety and Health Division issued a revised instruction, **COM-04-1R1 Residential Fall Protection Compliance Criteria**, establishing new enforcement policy for fall protection during residential construction activities which is effective on June 16, 2011.

The previous instruction, dated June 25, 2004, allowed employers engaged in certain residential construction activities to use specified alternative methods of fall protection (e.g. slide guards or safety monitor systems) rather than conventional fall protection (e.g. guardrails, safety nets, or personal fall arrest systems) without having to prove infeasibility or creating a greater hazard. **This is no longer acceptable.**

Beginning June 16, 2011, residential construction employers must ensure that employees working six feet or more above lower levels use guardrails, safety nets, or personal fall arrest systems. A personal fall arrest system may consist of a full body harness, a deceleration device, a lanyard, and an anchor point. (See the definition of "personal fall arrest system" in Part 45).

The use of an effective fall restraint system in lieu of a personal fall arrest system is allowed. To be effective, a fall restraint system must be rigged to prevent a worker from reaching a fall hazard and falling over the edge. A fall restraint system may consist of a full body harness or body belt that is connected to an anchor point at the center of a roof by a lanyard of a length that will not allow a worker to physically reach the edge of the roof.

Other fall protection measures may be used to the extent that is allowed under other provisions of Part 45. Rule 1926.501(b) addressing specific types of work. For example, 1926.501(b)(10) permits the use of warning lines and safety monitoring systems during the performance of roofing work on low-sloped roofs.

If an employer can demonstrate that the use of conventional fall protection methods is infeasible or creates a greater hazard, they must ensure that a qualified person develops a **written site-specific fall protection plan** in compliance with Rule 1926.502(k), documenting the reasons why conventional fall protection systems are infeasible or why their use would create a greater hazard.

Determining “Infeasibility”

“**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.

It is presumed that it is feasible to use fall protection and that it will not create a greater hazard for residential employers to implement conventional fall protection. Fall protection systems have improved tremendously since Part 45 – Fall Protection initially took effect 1995. There are many new products that have been developed and are available for almost every construction activity.

New Definition of Residential Construction

The new instruction also revised the definition of "residential construction" as construction work that satisfies both of the following elements:

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

Additional Assistance

For compliance assistance, contact the Consultation Education and Training (CET) Division at 517-284-7720 or go to www.michigan.gov/cet. For MIOSHA seminars and other training opportunities, visit www.michigan.gov/mioshatraining.

Additional resources are also available on the MIOSHA website at www.michigan.gov/miosha, in the *MIOSHA Initiatives* section, under **Residential Construction Initiative**.

For information on Part 45. Fall Protection, please contact the Construction Safety and Health Division at 517-284-7680, or visit our website at www.michigan.gov/mioshastandards.

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CONSTRUCTION SAFETY AND HEALTH DIVISION
530 WEST ALLEGAN STREET • P.O. BOX 30645 • LANSING, MI 48909-8145
OVERNIGHT MAIL ADDRESS: 525 WEST ALLEGAN STREET, LANSING, MI 48933
www.michigan.gov/miosha • 517-284-7680
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