

# ARTBA 2004 Roadway Work Zone Safety Conference

## Changes in High Visibility PPE

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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

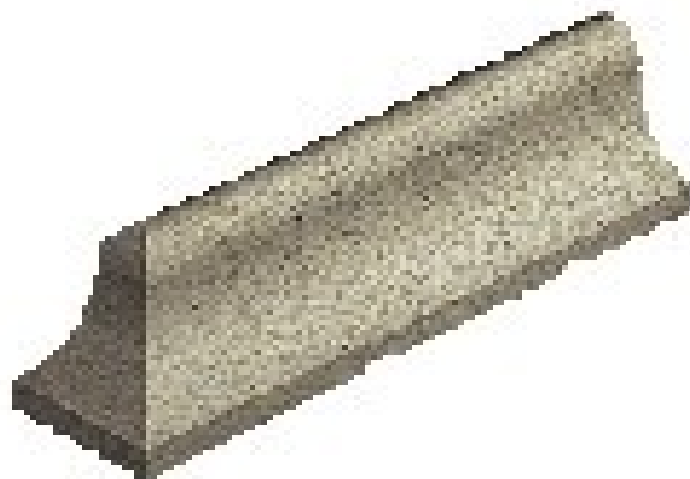
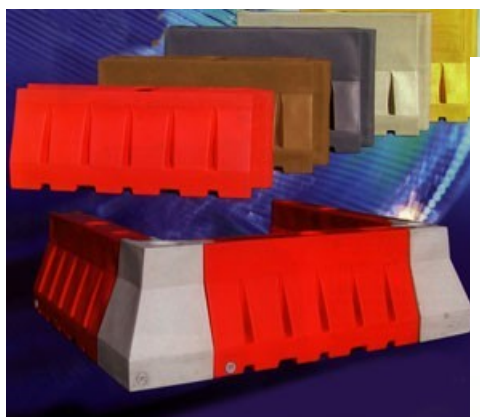


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# Engineering Controls

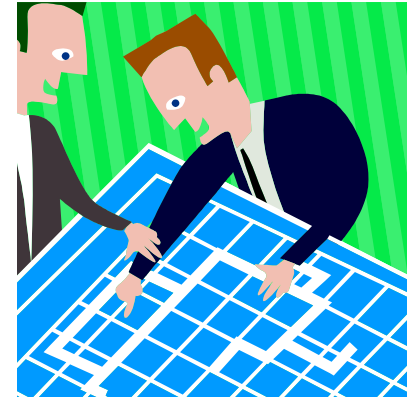
Prevent worker exposures by managing the work environment



ROAD CLOSED  
10 MILES AHEAD



# Administrative Controls



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

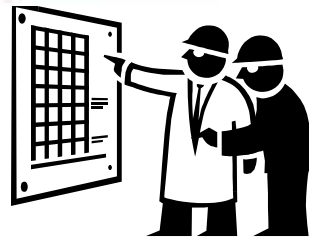


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# Personal Protective Devices

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



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



# Runovers/Backovers

## ROADWAY SAFETY



## 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





# Runovers/Backovers

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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



# Policies and Interpretations

Standards  
Interpretations

Standard  
Number

The screenshot shows the OSHA website interface. At the top, there is the U.S. Department of Labor Occupational Safety & Health Administration logo and the URL www.osha.gov. Below the logo, there is a search bar with the text "MyOSHA Search" and a "Go" button. To the right of the search bar, there are links for "Advanced Search" and "A-Z Index".

The main content area is titled "Standard Interpretations". It features a "Text Search:" field with a "Search" button and a "Clear" button. Below the search field, there is a "Date Search:" field with a "to" label and three date selection boxes. A "Search Help" link is located below the search fields.

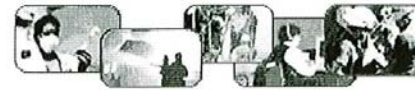
The "Table of Contents for Standard Part Number 1926.202" is displayed below the search fields. It contains two entries:

- **1926.202** - Requirements for use of high-visibility warning garments by construction workers in highway work zones. [05/11/2004]
- **1926.202** - Signaling and Barricades to Highway Construction Projects. [07/24/1991]

On the right side of the page, there is a vertical navigation menu with the following sections:

- Find It! in DOL**  
Department of Labor
- Compliance Assistance**
  - Consultation
  - eTools
  - Grants
  - Hispanic Workers and Employers
  - Posters
  - Recordkeeping
  - Training
- Laws & Regulations**
  - Standards
  - Interpretations
  - Federal Registers
  - Directives
  - Dockets & E-Comments
- Cooperative Programs**
  - Alliances
  - SHARP
  - Strategic Partnerships
  - VPP
- State Programs**
- Newsroom**
  - News Releases
  - Publications
  - Speeches
  - Testimonies
- Safety/Health Topics**
  - Biological Agents
  - Construction

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<sup>1</sup> 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.

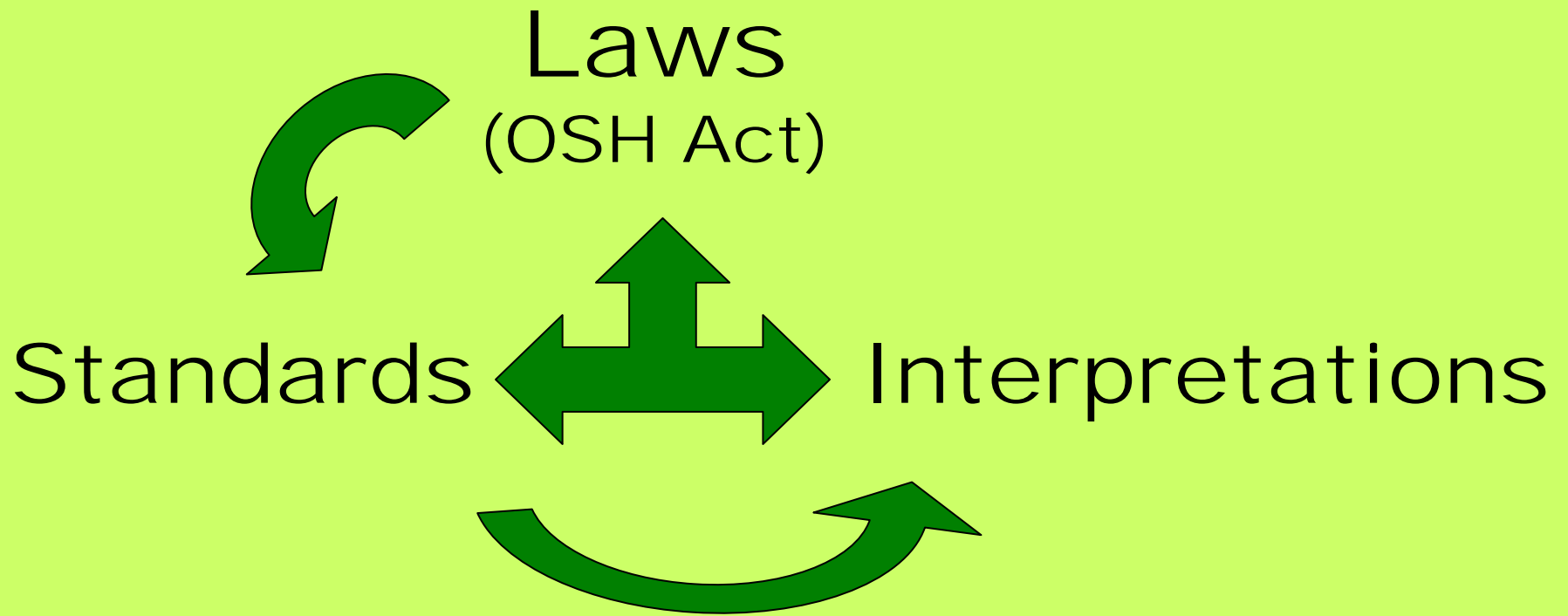
... It is well recognized in the construction  
industry that construction workers ...  
need to be protected from traffic. ...  
In such cases, Section 5(a)(1) requires  
the use of such garments. ...

## 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...



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BEGIN  
INSTRUCTION  
ZONE

# Runovers/Backovers

ROADWAY SAFETY



## 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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