

WISHA REGIONAL DIRECTIVE

WISHA Services

Department of Labor and Industries

32.35 Firefighter Station Work Uniforms & Other Clothing Date: April 27, 2005

I. Background

The revised safety and health standard for firefighters (Chapter 296-305 WAC) became effective on January 1, 1997. The standard includes a range of requirements addressing both general hazards and hazards specific to firefighting and related activities.

The inter-relationship of the station/work uniform and other clothing requirements has generated a number of questions. This WISHA Regional Directive (WRD) provides guidance to WISHA Consultation and Compliance staff regarding the appropriate application of the requirements referenced below:

296-305-02001(6) Station/work uniforms. Station/work uniforms are not themselves intended as primary protective garments.

- (a) Station/work uniforms if provided, shall meet the requirements as specified in the 1990 or 1994 edition of NFPA 1975.*
- (b) All station/work uniforms purchased after the effective date of this regulation shall meet the requirements set forth in this standard.*
- (c) Station/work uniforms include trousers, and/or coveralls, but exclude shirts, underwear, and socks.*
- (d) Members shall not wear any clothing that is determined to be unsafe due to poor thermal stability or poor flame resistance when engaged in or exposed to the hazards of structural fire fighting. Because it is impossible to ensure that every member will respond to an incident in a station/work uniform or will change out of fabrics that have poor thermal stability or ignite easily, before donning protective garments, the fire department shall inform members of the hazards of fabrics that melt, drip, burn, stick to the skin and cause burns to the wearer due to poor thermal stability or poor flame resistance.*

(e) Garments meeting the requirements of WAC 296-305-07003(1), meet the intent of this section.

II. Scope and application

This WISHA Regional Directive (WRD), which remains in effect indefinitely, applies to all WISHA enforcement and consultation activities involving WAC 296-305-2001. It is substantively identical to WISHA Interim Operations Memorandum (WIOM) 97-2-J, issued on February 28, 1997, which it replaces and rescinds.

III. Interpretative Guidance

- A. Fire departments are not required to provide station/work uniforms, and WISHA compliance staff must not cite a department for its failure to provide such uniforms.
- B. Garments that are not part of the station/work uniform (for example, shirts, underwear and socks) and that are made from all or mostly cotton will not be considered in violation of WAC 296-305-02001(6)(d), regardless of whether the employer or the employee provided the garments.
- C. Garments that could be considered part of the station/work uniform but that are not provided by the employer and that are made from all or mostly cotton will not be considered in violation of any portion of WAC 296-305-2001.
- D. Employers who warn employees of the risks of wearing synthetic or mostly synthetic garments and who take reasonable steps to prohibit their use in accordance with the first sentence of WAC 296-305-02001(6)(d) must not be cited for a violation of that standard.

Note: The "reasonable steps" mentioned above will vary depending upon the circumstances. For example, an employer who provides shirts as part of the uniform and who employs full-time firefighters has a greater ability to ensure that they respond to calls in appropriate undergarments than does an employer who provides only the required protective clothing and relies upon volunteers dispatched from home. However, an employer cannot specify that the responsibility for determining whether clothing is safe or unsafe to wear to an individual firefighter's judgment. While an employer may conclude, as does the standard, that it is impossible to fully enforce the requirement that unsafe clothing not be worn, the employer must take those steps that are reasonably within their control.

Approved: _____
 Mel James, Acting Senior Program Manager
 WISHA Policy & Technical Services

For further information about this or other WISHA Regional Directives, you may contact WISHA Policy & Technical Services at P.O. Box 44648, Olympia, WA 98504-4648 -- or by telephone at (360)902-5503. You also may review policy information on the WISHA Website (<http://www.lni.wa.gov/Safety/>).