

Fall Protection Rulemaking Stakeholder Meeting 8.29.16
L&I Tukwila Office
WAC 296-155

Division of Occupational Safety and Health (DOSH) Staff:

Craig Blackwood- Deputy Assistant Director
Chris Miller – Standards Program Manager
Josefina Magana – Project Manager (ARA)
Dave Conley - Construction Technical Specialist

Attendees:

Steve Heist - Approach Management
Chris Metz- Archbright
Greg Gothard- Schweitzer Engineering
Laboratories Inc.,
Christopher W. Shepard- Clark Construction
Group
Jay Herzmark - SafeWork Washington
Mandi Kime - AGC of Washington
Mark Lawless- CSMI
Scott Wright- Areva
Juan Martell- Port of Seattle
Luke Aguilar- Anderson Construction
Matt Rolf- Anderson Construction
Matt Urich- Legacy
Kyle Campbell-BPA
Tom Landweir
Mathew Thompson- UURWAW Local 153 AFL-
CIO
Glen Freiber- NW LETT Org
Dan Belinger- NW LETT Org

Greg Gidean- Avvanta
Lee Pyfrom- MacDonald-Miller Facility Solutions
Billy Vanderkom- GoodFellow Bros. Inc.
Michael Seusen- Vigilant
Kelly Huestis- Apex Steel/Apex Tower Crane
Gary Bangs-UW
Joe Sattler- Exxel Pacific
Scott Strenli- Atkinson Construction
Eric Gustafsa- Local 86
Chuck Orebaugh- Boeing
Dan Ferreira- Gravel Pits
Doug Stiffarm- Miles Resources
Jim Farcome- King County Gov
Mark Gauger- Gly Construction
Scott Ben
Randy Paddock
Ken Clements
Steve Andrews
Derek Burr

Introductions:

- Standards Program Manager welcomes attendees and briefly explains the agenda for the meeting
- Construction Technical Specialist indicates the meeting is an opportunity to go over the July 11th 2016 stakeholder meeting and cover in more detail the technical issues

Main topics of discussion:

- Overview of July 11th Stakeholder meeting
- OSHA issues worksheet

Highlights of Technical issues:

- Ambiguous Language with regards to Skylights and Wall Openings
 - OSHA believes our language is conditional and subjective
- Warning Lines - Use and strength
 - When 200 lbs. is placed it cannot deflect more than 3 inches
 - Guardrail is OSHA mirrored
 - Change language in this standard
- Alternatives to Conventional Fall Protection – Catch Platforms and Safety Watch System.
 - Version of safety monitor system
 - OSHA-system doesn't require use of warning line
 - Is warning line perhaps good enough? Not sure from OSHA's response
 - Audience comments:
 - No more rooftop equipment
 - Setting up systems exposes workers more
 - Adding the warning line creates more hazards
 - Clarify language - Distance and Time
 - Distance to how close to the edge you can be, specify distance and duration verbiage
 - Adding a warning line seems to generate discussion
- Trigger Height – OSHA 6' vs. DOSH 10' and Definition of Walking Working Surface
 - OSHA doesn't feel we are effective and they want us to drop to minimum across the board OSHA 6 DOSH 10
 - 4ft across the board
 - If we are pushing back to keep 10 DOSH needs support from stakeholders
 - Audience Comments:
 - Use statistics to back up for support (BLS, CDC)(DOSH comment: statistics is not where we want to go)
 - Define effective and restrictive
 - Go back to the reasoning behind the rule- how did OSHA come up with 6 ft.?
 - Steep pitch roofing – Applaud to DOSH for bringing it down to 4 ft. rule
 - Iron workers local- effectiveness/restrictiveness more time and money is spent on setting up system
 - Set up highline
 - Impact on industry if we lower the footage
 - Just have one standard, cost is a big issue
 - General contractors- 0, 4, 6
 - Support for 4 or 6
 - Connect to part L
 - Comment from DOSH- Our regulations are more effective and more restrictive in order to protect the worker
- Walking Working Surface Definition
 - Comments from Audience:

- Why is walking working surface 45 in? How did we come up with this?
- Eliminate 45 in dimension
- Do we change definition or eliminate? This is something the subcommittee can look at
- Is top plate a walking working surface safe?

Some questions that were raised:

- Why would WA State adopt a more restrictive policy if it's not really more effective? Warning line is just a visual appeal
 - 500 is not more effective than 200
 - Perhaps there should be a difference between being effective and restrictive
- What is maximum intended load?
 - Perhaps should clarify for engineers (Alternative to conventional fall protection issue) help understand intend as regulator-clarifying language that gives more information
 - Define maximum potential load better
- Is OSHA looking at eliminating caution tape/issue tape? (DOSH uses it OSHA doesn't)

Final Comments from Audience:

- ANSI standards are being worked on 359.1
- Is it possible to receive documents that will be used in the meetings ahead of time?
- Is there a possibility to have a vertical standard that's just fall protection?
 - DOSH comment: we will continue to look at having this
- Compliance officers should not have to inspect all skylights

Conclusion:

- Subcommittee will be created to go over rule language
- After the subcommittee convenes there will be another stakeholder meeting to go over proposed changes
- If you would like to be part of the subcommittee send an email to Josefina Magana at magk235@lni.wa.gov.
- All information provided at this meeting will be available in the fall protection webpage:

<http://www.lni.wa.gov/Safety/Rules/WhatsNew/FallProtection2016/default.asp>

- Time and date for possible subcommittee meetings will be provided promptly