

NDA Submits Comments to OSHA on PPE in Construction Rule

This week, NDA [submitted comments](#) to the Occupational Safety and Health Administration (OSHA) on their [Notice of Proposed Rulemaking](#) to clarify the personal protective equipment (PPE) standard for the construction industry. The proposed rule would clarify that PPE must fit each employee properly to protect them from occupational hazards and align the language in OSHA's PPE standard for construction with standards for general industry and maritime.

In its comments, NDA highlighted the demolition industry's support for worker safety and efforts to ensure all existing OSHA regulations and guidance regarding PPE are followed on demolition worksites. However, NDA believes it is reasonable to question how OSHA will enforce a federal regulation on "properly fitting" PPE given the vast geographical diversity and work conditions in the United States along with the unique characteristics that separate the construction industry from other sectors of the economy.

To this end, NDA argued that any further regulations regarding "properly fitting" PPE in the construction industry should be left to state and local governments who can work with regulated stakeholders to best determine which regulations will be most effective and sensible for employers and employees in their communities. NDA requested that OSHA forgo any new changes to its existing standard for PPE in construction at this time.

NDA Requests Extension of Comment Period for Worker Walkaround Rule

Earlier this month, the Occupational Safety and Health Administration (OSHA) issued a [Notice of Proposed Rulemaking](#) on its worker walkaround representative designation process. The proposed rule would allow union representatives to accompany OSHA inspectors on walk around inspections at non-union workplaces. The proposal focuses on allowing third party representatives to participate in OSHA inspections, if requested by an employee, on the basis that they have "relevant knowledge, skills, or experience with hazards or conditions in the workplace or similar workplaces, or language skills of third-party representative(s) authorized by employees who may be reasonably necessary to the conduct of a CSHO's physical inspection of the workplace."

Yesterday, NDA joined the Coalition for Workplace Safety in [requesting a 60-day extension to the comment period](#) on the agency's proposed rulemaking in order to provide the regulated community with sufficient time to review OSHA's proposed changes to its worker walkaround representative designation process. A 60-day extension to the comment period would ensure the demolition industry and other stakeholders can thoroughly analyze the changes and assess their potential impacts on the economy, business operations, and workplace dynamics.