October 30, 2017

**Compliance Issues, OSHA Policy Letter, Fall Protection and Restraint, Competent/Qualified Person Training, Lockout/Tagout, Application of the ANSI/ASSE Standards and a Published Legal Opinion**

ASSE members and OSH professionals should have significant interest in two recently released letters of interpretation from the U.S. Occupational Safety and Health Administration (OSHA). The Society has received and reviewed these letters and is sharing them to the membership along with some additional materials.

**Issue #1.** An issue addressing the OSHA response to a letter from the International Safety Equipment Association (ISEA) seeking clarification on fall protection and competent/qualified person training, as well as technical issues affecting snaphooks and carabiners. The training issue is significant for any ASSE member or OSH professional who deals with issues related to fall protection/restraint. In the Society’s view, the OSHA letter substantiates the need for high-caliber training and the emphasis on the ANSI/ASSE Z359.2 and Z490.1 standards is significant.



**Issue #2.** The second issue involves OSHA’s response to a letter from the ANSI/ASSE Z244 Lockout/Tagout (LOTO) Committee seeking clarification on LOTO and the use of alternative control methods:

  

The Society realizes these are complex issues and offers the following background information that ASSE members can use to make risk-assessment-related decisions.

* A legal opinion offered by ASSE legislative counsel in Washington, DC (Adele Abrams and Gary Visscher). This legal opinion addresses both the fall protection and LOTO OSHA letters.



* A chart created by ISEA that addresses the fall protection training issues.



* ASSE is offering a webinar on LOTO and Z244 on Nov. 20. This webinar should be of interest to any member or OSH professional with interest in LOTO, control of hazardous energy, and the need for synergy between the federal requirements and the ANSI/ASSE Z244.1 standard.

<https://learn.asse.org/products/ansiasse-z2441-the-control-of-hazardous-energy-lockout-tagout-and-alternative-methods>

* The applicable ANSI/ASSE standards are:

[ANSI/ASSE A10.32-2012 Personal Fall Protection Used in Construction and Demolition Operations](http://www.asse.org/ansi/asse-a10-32-2012-personal-fall-protection-used-in-construction-and-demolition-operations/)

[ANSI/ASSE Z359.2 – 2017 Minimum Requirements for a Comprehensive Managed Fall Protection Program](http://www.asse.org/ansi/asse-z359-2-2017-minimum-requirements-for-a-comprehensive-managed-fall-protection-program/)

[ANSI/ASSE Z490.1-2016 Criteria for Accepted Practices in Safety, Health and Environmental Training](http://www.asse.org/ansi/asse-z490-12016-criteria-for-accepted-practices-in-safety-health-and-environmental-training/)

Tech briefs on these standards as posted at [ANSI/ASSE Tech Briefs](http://www.asse.org/publications/standards/)

Next steps for OSH professionals:

1. Review the two OSHA letters of interpretation.
2. Review the legal opinion written by ASSE legislative counsel.
3. Evaluate your employer’s/client’s LOTO-related programs with a focus on control of hazardous energy and alternative means of compliance.
4. Evaluate fall protection/restraint programs with an emphasis on the issue of competent/qualified person training.
5. If applicable, obtain the relevant ANSI/ASSE standards
6. If applicable, discuss enforcement/compliance personnel within your organizations.

The goal of this technical update is to help OSH professionals prevent worker fatalities and incidents. Please contact Tim Fisher with the Society [TFisher@ASSE.Org] for additional information on these subjects.