



**Ernie Fletcher**  
Governor

**ENVIRONMENTAL AND PUBLIC PROTECTION CABINET  
DEPARTMENT OF LABOR**

**LaJuana S. Wilcher**  
Secretary

1047 US Hwy 127 S STE 4  
Frankfort, Kentucky 40601  
Phone: (502) 564-3070  
www.kentucky.gov

**Philip J. Anderson**  
Commissioner

**KENTUCKY DEPARTMENT OF LABOR  
OCCUPATIONAL SAFETY AND HEALTH PROGRAM  
Frankfort, Kentucky**

**KY OSH PROGRAM INSTRUCTION 01-2005**  
February 16, 2005

**REFERENCED STANDARD**

29 CFR 1926.501(b)(13) as incorporated by 803 KAR 2:412

**SUBJECT**

Residential Construction Fall Protection

**PURPOSE**

Establish and clarify Kentucky Department of Labor policy regarding residential construction fall protection requirements.

**SCOPE**

This INSTRUCTION applies only to residential construction activities in the Commonwealth of Kentucky. This INSTRUCTION supersedes the 1995 OSHA Instruction STD 3.1, Interim Fall Protection Compliance Guidelines for Residential Construction.

**INSTRUCTION**

The Kentucky Occupational Safety and Health (KY OSH) Program will no longer follow STD 3.1, Interim Fall Protection Compliance Guidelines for Residential Construction. KY OSH Program staff shall use this INSTRUCTION for enforcement and training of fall protection requirements in residential construction.

Failure to provide fall protection measures in accordance with any part of this INSTRUCTION shall be cited as a violation of 1926.501(b)(13).

### POLICY

The KY OSH Program believes it is feasible to provide fall protection to employees during residential construction. Procedures, products, and techniques have been developed in the residential construction industry to facilitate compliance with 29 CFR 1926.501(b)(13).

For purposes of this INSTRUCTION, residential construction means:

The construction of a stand alone single family dwelling or duplex.

### BACKGROUND

The Occupational Safety and Health Administration's (OSHA) requirements for fall protection in construction, found in 29 CFR Part 1926, Subpart M, were incorporated by Title 803 Kentucky Administrative Regulation Chapter 2:412, effective April 20, 1995.

29 CFR 1926.501(b)(13) requires each employee engaged in residential construction activities six (6) feet or more above a lower level be protected by guardrail systems, safety net system, or personal fall arrest systems unless another provision in paragraph (b) provides for an alternative fall protection measure. In 1995, OSHA issued Instruction STD 3.1, Interim Fall Protection Compliance Guidelines for Residential Construction. STD 3.1 provided interim fall protection guidelines for residential construction while OSHA undertook further rulemaking regarding the construction fall protection standards. STD 3.1 addressed the acceptable interim fall protection measures for compliance with 29 CFR 1926.501(b)(13) during the rulemaking period. OSHA strongly encouraged state plan programs in STD 3.1 to adopt the same or similar compliance guidelines. The Kentucky Occupational Safety and Health (KY OSH) Program agreed to follow STD 3.1.

In 1999, OSHA issued STD 3-0.1A, Plain Language Revision of OSHA Instruction STD 3.1, Interim Fall Protection Compliance Guidelines for Residential Construction. STD 3-0.1A cancelled STD 3.1 at the federal level. STD 3-0.1A represented a federal OSHA program change for which state adoption was not required. The KY OSH Program elected not to adopt STD 3-0.1A and continued to follow STD 3.1

### ACTION

Employers engaged in residential construction activities may provide the fall protection measures required in 29 CFR 1926.501(b)(13) or implement the measures identified in APPENDIX A of this INSTRUCTION during the activities identified in APPENDIX A. Demonstration that it is infeasible or creates a greater hazard to use conventional fall protection is not required before using the measures found in APPENDIX A of this INSTRUCTION. Additionally, a written fall protection plan is not required for employers who implement the measures found in APPENDIX A.

While the KY OSH Program believes it is feasible to provide fall protection to employees during residential construction, it is recognized that there may be an isolated instance when employee utilization of conventional fall protection during residential construction may be infeasible or create a greater hazard.

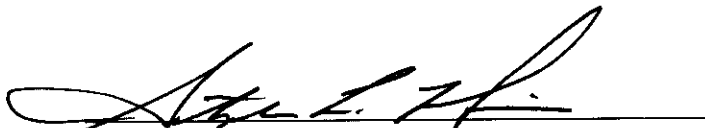
If an employer can demonstrate that it is infeasible or creates a greater hazard to use conventional fall protection as required in 29 CFR 1926.501(b)(13) or implement the measures found in APPENDIX A of this INSTRUCTION, then the employer must implement a written site specific fall protection plan which meets the requirements of 29 CFR 1926.502(k).

ADDITIONAL RESOURCES

The KY OSH Program's Division of Education and Training offers cost free resources and training to employers and employees on acceptable methods of compliance during the different phases of residential construction. That information may be found at [www.kylabor.net](http://www.kylabor.net).

EFFECTIVE DATE

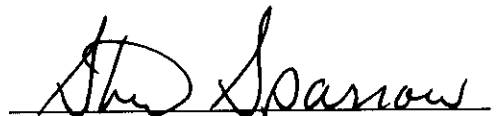
This INSTRUCTION is effective immediately and will remain in effect until cancelled or superseded.



Stephen L. Morrison, Executive Director  
Office of Occupational Safety and Health



Ron Blackwell, Director  
Division of Education and Training



Steve Sparrow, Director  
Division of Compliance

APPENDIX A to KY OSH PROGRAM INSTRUCTION 01-2005  
Residential Construction Fall Protection  
February 16, 2005

Each employee engaged in residential construction activity six (6) feet or more above lower levels is required to be protected from falling. This APPENDIX contains the measures an employer may implement to comply with residential construction fall protection requirements. If the measure is not conventional fall protection, no showing by the employer of infeasibility or greater hazard is necessary before utilizing the measure.

I. Construction of Floor System

(a) Any combination of ladders or scaffold systems from inside or outside of the structure for constructing sill plate, band joist, and floor joists.

Note: Ensure employees do not walk the top plate.

II. Construction of Sub-floor and Floor Sheathing

(a) Exterior guardrail system to prevent exterior falls or utilization of a catch platform designed by a qualified person that eliminates a six (6) foot fall.

(b) Retractable or restraint fall protection system. Anchoring of the restraint system to the floor is acceptable. Anchoring of the retractable system to the floor is acceptable if designed for that application.

(c) Any combination of ladders or scaffold systems inside the structure to access the tops of floor joists to apply adhesives.

(d) Alternative Measure

1. The first row of floor sheathing must be installed and secured from the ground, floor, ladders, or scaffold system.

2. After the first row of sheathing has been installed and secured, only employees performing the installation shall work from the established and secured deck.

3. After two (2) rows of sheathing have been installed, only employees performing the installation shall work from the established and secured deck. All other employees shall remain at least four (4) feet away from the leading edge.

4. If work from the joists is required, only the employee performing the installation of the sheathing shall work from a secured temporary platform at least eighteen (18) inches wide. The employee must stand firmly and remain on the platform.

Note: Ensure employees do not walk tops of floor joists. Ensure guardrail systems or adequate covers are in place around floor openings or holes, such as stairwell openings.

### III. Construction of Exterior Walls

(a) Restraint or retractable fall protection system. Anchoring of the system to the floor is acceptable.

(b) Guardrail system or utilization of a catch platform designed by a qualified person that eliminates a six (6) foot fall.

### IV. Installation of Ceiling Joists

(a) Any combination of ladders or scaffold systems from inside or outside the structure.

Note: Ensure employees do not walk top plates. Ensure employees utilizing ladders or scaffolds do so correctly since it may place them above the guardrail system.

### V. Installation of Trusses or Rafters

(a) Any combination of ladders or scaffold systems from inside or outside the structure.

(b) Release of crane host line with mechanical device, ladder, or scaffold system.

(c) Alternative Measure

If (a) or (b) above is infeasible, the employee releasing the hoist line or installing the bracing shall work from within the trusses or rafters on a secured temporary platform at least eighteen (18) inches wide. The employee must stand firmly and remain on the platform.

Note: Ensure employees do not walk top plates or climb cross braces.

### VI. Installation of Roof Sheathing and Roofing Materials

(a) Any combination of guardrail, scaffold, or personal fall protection systems.

## VII. Installation of Exterior Sheathing, Siding, Trim, or Other Materials

- (a) Any combination of ladders, scaffold systems, or aerial lifts.

### REFERENCES

The terms and criteria for measures referenced in this APPENDIX, except one (1), are found in the construction industry standards.

- Aerial lifts -1926.453
- Fall protection systems - 1926.502
  - Anchorage criteria
  - Arrest system, including retracting deceleration devices
  - Covers
  - Guardrail system
  - Restraint system- Restraint systems are not mentioned in the Fall Protection Subpart.  
A restraint system prohibits an individual from falling any fall. Fall restraint system components that conform to the criteria found in 1926.502 are acceptable.
- Ladders - 1926.1053 and 1926.1060
- Qualified person - 1926.32(m)
- Scaffold system - 1926.451 and 1926.452