

The New OSHA Personal Protective Equipment Payment Standard

U.S. Federal OSHA has published a new rule for employer payment of personal protective equipment (PPE) with wide-reaching implications for business owners and managers. The Personal Protective Equipment Payment Standard was published in the November 15, 2007 Federal Register. This rule covers construction, general industry and maritime industry.

Here is a summary of the provisions of the new OSHA Final Rule:

- The final rule requires employers to pay for almost all personal protective equipment that is mandated in OSHA regulations. This includes PPE for respiratory protection, fall protection, hearing protection, hard hats, safety glasses and other types of protective equipment.
- The new rule does not create any new requirements for what PPE employers must provide their employees. It does not require payment for uniforms, items worn to keep clean or other items that are not PPE.
- Exemptions from the PPE rule include the following "ordinary protective equipment" as defined by OSHA:
 - Safety-toe footwear, such as steel-toe boots or shoes and boots with built-in metatarsal protection
 - Prescription safety eyewear
 - Everyday clothing and weather-related gear
 - Logging boots
- If employees choose to use PPE they own, employers will not need to reimburse the employees for the PPE. However, employers cannot require employees to provide their own PPE. The use of an employee-owned PPE is completely voluntary. Employers must ensure that the equipment provides adequate protection from hazards on the job.
- Employers must pay for replacement PPE used to comply with OSHA standards. However, when an employee has lost or intentionally damaged PPE, the employer is not required to pay for its replacement.

The new OSHA PPE Payment Standard becomes effective on February 13, 2008. Employers must implement the regulation by May 15, 2008.

For more information on compliance with the OSHA PPE Payment Standard, contact your local OSHA regional office or go to the OSHA website <http://www.osha.gov/>