

The following letter is a letter of interpretation from Federal OSHA

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Dear Mr. Lacoursiere:

Thank you for your November 13, 2002 letter to the Occupational Safety and Health Administration's (OSHA's) Office of General Industry Enforcement (GIE). This letter constitutes OSHA's interpretation only of the requirements discussed and may not be applicable to any scenario not delineated within your original correspondence. You asked specific questions regarding OSHA requirements for step bolts. Step bolts may also be called "pole steps". Your questions and our responses are provided below.

Question 1: Does rule 1910.269(h) also apply to step bolts?

Reply: Section 1910.269(h) does not apply to step bolts or manhole steps. There is an error in the title to 1910.269(h). As noted in the preamble to final rule 1910.269 on page 4376 in the first and second columns [the discussion of proposed paragraph (h)(4)], OSHA did not carry forward any of the proposed requirements on step bolts or manhole steps because they were being addressed in the proposed Subpart D rulemaking (Walking-Working Surfaces; copy enclosed).

The requirements for step bolts were intentionally left out of paragraph (h) but the title and the initial preamble reference remained unchanged. Consequently, the paragraph now only contains requirements for ladders and platforms. This error will be corrected by modifying the paragraph (h) heading [by removing the words *step bolts* and *manhole steps*] the next time the 1910.269 standard is revised.

Question 2: Rule 1910.269(h)(2)(iv) states, "In the configurations in which they are used, ladders and platforms shall be capable of supporting without failure at least 2.5 times the maximum intended load." Does this rule also apply to step bolts, or only to ladders and platforms as indicated?

Reply: The load requirements specified in 1910.269(h)(2)(iv) apply only to ladders and platforms.

Question 3: What is the definition of “failure” mentioned in rule 1910.269(h)(2)(iv)?

Reply: As previously noted, 1910.269 does not apply to step bolts. The proposed revision of Subpart D includes a replacement requirement for step bolts bent more than 15 degrees below the horizontal. This is similar to item (e) of Section 9.1.1.1, “Step Bolts”, in the *IEEE Trial Guide for Fall Protection for Utility Work* (IEEE Standard 1307-1996), which defines “failure” as occurring when step bolts are “bent greater than .26 rad (15 degrees) below the horizontal.”

Question 4: The IEEE 1307-1996 standard, section 9.1.1.1(d), requires step bolts to be capable of supporting the intended workload [as defined for the application per the applicable ANSI standard(s)], but in no case can the minimum design live load be less than a simple concentrated load of 271 kg (598.4 lb). What is the maximum permitted loading on step bolts?

Reply: OSHA’s proposed standard 1910.24(c)(1) would require that step bolts be capable of withstanding without failure at least four times the intended load to be applied. Until a specific standard for step bolts is promulgated, however, the situation of an overloaded step bolt can be cited under the OSH Act’s general duty clause.¹ An employer can be cited for a violation of the general duty clause if an employee is exposed to a hazard that is recognized and serious. The maximum load considered to be safe would depend on design, installation and use specifications. Employers are advised to consult with manufacturers and those responsible for installing step bolts for details on maximum allowable load requirements.

Question 5: Is there an **additional** safety factor required for step bolts?

Reply: See reply to question 4.

Question 6: Where is the load to be applied (i.e., center of step) for step bolts?

Reply: OSHA does not specify, in any existing standard or in the Subpart D proposal, where a test load is to be applied for step bolts. In the absence of a specific OSHA requirement, employers need to use good engineering practices that result in a place of employment free from recognized hazards that are likely to cause death or serious physical harm.

Question 7: If OSHA standards do not provide specific guidance relating to step bolts, would OSHA accept other industry consensus standards (e.g., IEEE 1037-1996)? Specifically, would OSHA consider the load requirements of IEEE 1307-1996 (see question 4 above) acceptable for purposes of defining maximum intended load?

¹ The OSH Act’s general duty clause (Section 5(a)(1)) provides that: “Each employer shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees.” 29 U.S.C. 654(a)(1).

Reply: OSHA often considers industry consensus standards when determining whether a condition or practice is a “recognized” hazard or whether there are feasible means of abating the hazard. We believe that in most situations an employer’s compliance with IEEE 1307-1996 will usually prevent or eliminate serious hazards.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statute, standards and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA’s interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA’s website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the Office of General Industry Enforcement at (202)693-1850.

Sincerely,

Richard E. Fairfax, Director
Directorate of Enforcement Programs

Enclosure