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OSHA Issues Final Rule To Increase Protection For Construction Workers In Confined Spaces

On May 1, 2015, OSHA published its final rule for confined spaces in the construction industry. The new regulation covers building construction sites, highways, bridges, tunnels, utility lines, and other types of construction activities. The new rule is similar to the existing general industry rule on confined spaces but differs in several respects. For instance, it includes a requirement that multiple employers share vital safety information and continuously monitor hazards. More responsibility is placed on the controlling employer to ensure compliance by subcontractors and visitors to a construction site. According to OSHA Administrator Dr. David Michaels, “Unlike most general industry worksites, construction sites are continually evolving, with the number and characteristics of confined spaces changing as work progresses.” Therefore, the standard will emphasize training, continuous worksite evaluation, and communication among contractors. The new rule takes effect August 3, 2015. Compliance assistance materials and additional information are available on OSHA’s Confined Spaces and Construction web page:

<https://www.osha.gov/confinedspaces/index.html>

Traditionally, in general industry, many workplaces contain areas that are considered “confined spaces” because, while they are not necessarily designed for people, they are large enough for workers to enter and perform certain jobs. A confined space also has limited or restricted means for entry or exit and is not designed for continuous occupancy. OSHA uses the term “permit-required confined space” to describe a confined space that has the potential to contain a hazardous atmosphere. Potential hazardous atmospheres include those that contain a material that has the potential to engulf an entrant, has walls that converge inward or floors that slope downward and taper into a smaller area which could trap or asphyxiate an entrant, or contains any other recognized safety or health hazard, such as unguarded machinery, exposed live wires, or heat stress. The new rule simply extends this general industry safety concept to construction worksites.

For more information about the new rule, please contact Paul Schumacher at 216-685-1827 or pschumacher@dmclaw.com.