



Protecting Your Right to a
Safe and Healthful
Workplace

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Personal Protective Equipment (PPE)

Under a regulation of the Occupational Safety and Health Administration (OSHA), an employer must meet specific requirements concerning "personal protective equipment" (PPE), such as gloves, goggles, hard hats, face shields and ear muffs. The regulation also gives employees specific rights concerning PPE. Below you will find basic information about the regulation and strategies that unions can use to get employers to eliminate hazards, if possible, and protect their employees from hazards that are not eliminated.

What must your employer do under the Personal Protective Equipment (PPE) regulation ?

1. *Your employer must conduct a hazard assessment*

OSHA requires employers to:

- a) survey the workplace to identify hazards, (this survey must be in writing and must be available to workers or their representatives upon request),
- b) determine whether any hazard requires PPE,
- c) pay special attention to working conditions or processes that can produce the following hazards:

- falling objects
- objects that could puncture the skin
- objects that could roll over workers' feet
- toxic chemicals
- heat
- harmful dust
- radiation

- d) reassess hazards whenever necessary, especially when new equipment is installed or following accidents. Any reassessment must be in writing and must be available to workers on request.

2. *Your employer must select appropriate equipment*

The employer must ensure that all PPE used is the right kind of equipment for the job, and that it is maintained properly -- even when workers are using their own equipment. Every employer must ensure that:

- PPE provides a level of protection above the minimum required to protect the worker,

- all PPE fits properly,
- no defective or damaged PPE is used,
- all PPE is properly cleaned and maintained on a regular basis.

3. Your employer must train workers who use PPE

Employers must train all workers who use personal protective equipment. Training must cover:

when PPE is necessary,
which PPE is necessary,
 how to know if it fits properly,
 how to put on, remove, adjust and wear PPE,
 how to dispose of PPE,
 the limitations of using PPE.

Training must be given whenever working conditions change, or when new or different PPE is used, or if a worker does not understand or remember any topic in the training. Employers must certify in writing that each worker has received and has understood the training.

When should personal protective equipment be used?

OSHA is very clear that PPE must be provided as a last resort, when other measures cannot provide enough protection. The employer is required to first make efforts to eliminate or minimize hazardous working conditions. The best way to protect workers against hazards is to control problems at the source.

Are there problems with using personal protective equipment?

Wearing PPE can be uncomfortable (especially in hot weather) or awkward, and many people complain that it gets in the way of doing the job. Although PPE cannot usually completely protect the wearer, people often get a false sense of security when they use it. Also, PPE protects only the person wearing it and many people may not be able to wear PPE due to certain types of medical conditions. Problems such as incorrect fit, use of the wrong PPE for the job, use of damaged or poorly maintained PPE or inconsistent PPE use can all result in less than adequate protection. It is always preferable for the employer to remove or minimize hazards.

Types of Personal Protective Equipment

The PPE regulation (also known as a standard) covers all private-sector workers in general industry who are exposed to hazardous processes, conditions, and toxic substances. The legal citation for the general PPE standard is [29 CFR 1910.132](#). (CFR stands for Code of Federal Regulations.) There are additional standards that cover different specialized types of PPE. (They are discussed below). Similar and separate PPE standards cover construction, shipyard, maritime and longshore workers. Public-sector workers in New York State are also covered by the PPE standards under PESH (Public Employee Safety & Health).

Here is what OSHA requires for specific types of PPE and where you can find it in the Code of Federal Regulations.

EYE AND FACE PROTECTION [29 CFR 1910.133](#)

Goggles and face protection must be used when workers are at risk from flying particles, liquid chemicals, acids or caustic liquids, chemical gases or vapors. Workers must also be protected from radiation during welding, torching, soldering, and brazing, or other operations that emit light. Goggles and face protection must meet certain design criteria for safety.

HEAD PROTECTION [29 CFR 1910.135](#)

Hard hats must be worn where there is a danger of falling objects. Specialized hard hats are required to reduce electrical shock hazards. The OSHA standard contains a chart to aid in head gear selection.

FOOT PROTECTION [29 CFR 1910.136](#)

Safety shoes with impact protection are required in work areas where heavy objects or tools could be accidentally dropped on the feet. Safety shoes with compression protection must be worn where objects could roll over workers' feet, and in operations involving skid trucks, hand trucks, dollies, etc. Safety shoes with puncture protection are required when working around nails, wire, tacks, scrap metal, and other objects that could pierce the feet.

HAND PROTECTION [29 CFR 1910.138](#)

Gloves are required to protect workers from cuts, scrapes, punctures, burns, chemical absorption, or temperature extremes. It is crucial that the type of glove being used is the right one for the job since incorrect gloves may provide no protection. This is a particular problem with chemical absorption where incorrect gloves may allow certain chemicals to reach your skin - and you may be unaware that it is happening. Charts that can assist in determining the right gloves for the job are available from glove manufacturers.

HEARING PROTECTION [29 CFR 1910.95](#)

Appropriate ear muffs or ear plugs must be made available as a last resort if it is not possible to make the workplace less noisy. This requirement is a small part of the Occupational Noise Exposure standard, which requires employers to ensure that workers are exposed to less than 90 decibels of noise over an 8-hour day. If noise levels reach 85 decibels over an 8-hour day, the employer must develop a hearing conservation program as outlined by the regulation. If no other method of eliminating or reducing the noise exposure is found, the employer must supply PPE.

RESPIRATORS [29 CFR 1910.134](#)

Appropriate respirators must be worn as a last resort, if it is not possible to ventilate the work area properly. Known as the Respirator Protection standard, this regulation requires that employers develop a written, comprehensive respiratory protection program for all workers who are required to use respirators on the job.

WHAT UNIONS CAN DO

1. Participate in the hazard assessment process.

The standard does not specify how employers must conduct the assessment, nor the qualifications of the person conducting the assessment. Union members should try to accompany the person who does the assessment when they inspect the workplace. If the employer has already conducted the assessment, the union has a

right to request a copy. The assessment should be reviewed to make sure that it shows why the hazard could not be eliminated in other ways. Set up a committee to help evaluate the quality and appropriateness of PPE that is used.

2. Check to see that the right equipment is supplied for the job.

Make sure that the PPE the employer wants to use is designed to guard against the specific hazards to which the workers are exposed. Proper gloves to protect the skin from chemical exposure are crucial. Check the charts available from the glove manufacturers and fight to ensure that the employer is supplying the correct gloves. In the case of respirators, certain respirators are required for specific jobs and a program must be in place to ensure the right respirator is used. Information about the proper use of any PPE should be available from the manufacturer, including how long it can be worn effectively before it should be discarded or cleaned.

3. If PPE must be worn, negotiate over who pays for it.

It has generally been assumed that when OSHA stated that, "personal protective equipment ... shall be provided", they intended that the employer must pay for most safety equipment. This assumption, however, was successfully challenged by an employer lawsuit. OSHA is now completing a clarification of this requirement to be published in the Federal Register. Once published, it will require employers to pay for all PPE except certain types of footwear and eyewear. Unions may want to negotiate contract language requiring the employer to pay for all PPE, as many unions have done.

4. Make sure that adequate training is given to workers.

Unions frequently negotiate with employers over who will provide training, what topics will be covered, and how the class will be taught: length of class; methods of teaching, including hands-on demonstration and practice; teaching in a language and manner that workers can understand.

5. Remind employers to supply various sizes of PPE.

OSHA says that workers must have PPE that fits properly. Poorly fitting PPE may cause additional hazards. In the case of respirators, an effective program is required to ensure the correct fit is achieved.

6. Make sure employers provide proper decontamination areas or other appropriate procedures following use of PPE.

Contaminated protective clothing and other PPE should be removed prior to entering the clean side of any locker room or changing facility where street clothes are stored. Often, contaminated PPE must be disposed of as hazardous waste; therefore, proper disposal facilities must be on hand for contaminated PPE that cannot be cleaned.

7. Make sure adequate cleaning and storage facilities are available for all PPE that is issued.

Workers must have the training, supplies, and time to properly clean and store protective equipment that is issued to them.

8. Make sure no workers use either damaged or defective PPE.

Workers should know how to inspect all PPE to make sure that it is not damaged. Defective PPE should be replaced as soon as the defect occurs.

9. Investigate accidents.

Make sure that all of the elements of the PPE standard were followed.

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