

## THERE IS A CATCH-22 WHICH EXISTS IN THE PRESENT STANDARDS

There is actually a "Catch-22" which results when reading the standard as it is written at present. For more information on this, take a look at the OSHA Standards on [www.idlunionedunion.com](http://www.idlunionedunion.com).

On our page entitled "There is a Need for a Higher Standard in Fall Protection" it is stated that a review of the OSHA regulations governing fall protection shows that in **29 CFR 1926.502(d)** ***"If a personal fall arrest system is used for fall protection, it must do the following:....Limit maximum arresting force on an employee to 1,800 pounds (8 kiloNewtons) when used with a body harness; Be rigged so that an employee can neither free fall more than 6 feet nor contact any lower level"***.

This is where the Catch-22 exists. The harnesses that are being used on the market today cannot meet this standard. The present harnesses allow a fall distance of nine and a half feet. That is a six foot lanyard **plus** the three and a half foot *"elongation deceleration device"* or the EDD. The EDD is a package approximately 6 inches long, which contains three and half feet of folded lanyard. It is portrayed as an additional safety device in the event of a fall. In actuality this elongation deceleration device, which **will** expand in the event of a fall, allows the user to fall an additional three a half foot over and above the six foot length of the lanyard. In order for a harness in use today to meet the standard, using an elongation device, it would have to be wrapped three and a half feet around the structure the user is attached to, to lessen the entire length of the lanyard to within six feet if a fall occurs.

The situation produced in this scenario is that workers are provided with a harness with a six foot lanyard which includes an elongation device of an additional three and a half feet. In the event of a fall the elongation device is **going** to expand and the worker **will** fall nine and a half feet. Since buildings are built in ten foot increments you are going to contact a lower level. Therefore, the harnesses being used today **are not within compliance**.

You, as the worker, should see this from the worker's perspective. There is a major gap presented here. What is written on paper and what actually works in the field are two different things. A worker either uses the harness with the working room needed to complete the job and at the same time is out of compliance, or he ties off with no working room and loses his job when he cannot perform his task quickly and efficiently. If he attempts to lessen the length of the harness to be in compliance, he is reducing himself to a working distance of two and a half feet or less. That in effect is a positioning harness and does not allow the movement necessary to get the job done. The worker is caught in a Catch-22. No one is going to do this. These men are there to feed their family and they would much rather take the risk of a fall than to lose their job. So he wears the harness and should a fall occur he is not protected from contacting the structure he is tied off to and in many cases these falls result in major injury and sometimes death. At the same time the worker is found to not be in compliance and any hope of financial restitution is eliminated.

As stated on our main page LDL has formed an alliance with Dennington Safety Gear and is joining their battle with the Department of Labor and OSHA to bring this situation to the attention of the federal government. If nothing is done soon and workers continue to be hurt and killed then we will take a different avenue and bring this to the attention of the powers that regulate the OSHA regulations and they will investigate to find out why. Please check our website frequently for updates on this endeavor which are undertaking for the protection of the worker.

### **Disclaimer**

Providing this information is not legal advice and should not be considered the unauthorized practice of law. Any questions concerning these statutes should be directed to an attorney.