

§3380. Personal Protective Devices

Subchapter 7. General Industry Safety Orders Group 2. Safe Practices and Personal Protection Article 10. Personal Safety Devices and Safeguards

§3380. Personal Protective Devices.

(a) Protection where modified by the words head, eye, body, hand, and foot, as required by the orders in this article means the safeguarding obtained by means of safety devices and safeguards of the proper type for the exposure and of such design, strength and quality as to eliminate, preclude or mitigate the hazard.

Note: In order that safety devices or safeguards, which may include personal protective equipment, be acceptable as to proper type, design, strength and quality they shall be at least equivalent to those complying with the standards approved by The American National Standards Institute, Bureau of Standards, or other recognized authorities, except that where no authoritative standard exists for a safety device or safeguard, the use of such safeguard or safety device shall be subject to inspection and acceptance or rejection by the Division.

(b) Protective equipment shall be distinctly marked so as to facilitate identification of the manufacturer.

Exception: Employer manufactured shields, barriers, etc.

(c) The employer shall assure that the employee is instructed and uses protective equipment in accordance with the manufacturer's instructions.

(d) The employer shall assure that all personal protective equipment, whether employer-provided or employee-provided, complies with the applicable Title 8 standards for the equipment. The employer shall assure this equipment is maintained in a safe, sanitary condition.

(e) Protectors shall be of such design, fit and durability as to provide adequate protection against the hazards for which they are designed. They shall be reasonably comfortable and shall not unduly encumber the employee's movements necessary to perform his work.

(f) Hazard assessment and equipment selection.

(1) The employer shall assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present, the employer shall:

(A) Select, and have each affected employee use, the types of PPE that will protect the affected employee from the hazards identified in the hazard assessment;

(B) Communicate selection decisions to each affected employee; and,

(C) Select PPE that properly fits each affected employee.

Note: Non-mandatory Appendix A contains an example of procedures that would comply with the requirement for a hazard assessment.

(2) The employer shall verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment.

(3) Defective and damaged equipment. Defective or damaged personal protective equipment shall not be used.

(4) Training. The employer shall provide training to each employee who is required by this section to use PPE. Each such employee shall be trained to know at least the following:

(A) When PPE is necessary;

(B) What PPE is necessary;

(C) How to properly don, doff, adjust, and wear PPE;

(D) The limitations of the PPE; and,

(E) The proper care, maintenance, useful life and disposal of the PPE.

(5) Each affected employee shall demonstrate an understanding of the training specified in subsection (f)(4) of this section, and the ability to use PPE properly, before being allowed to perform work requiring the use of PPE.

(6) When the employer has reason to believe that any affected employee who has already been trained does not have the understanding and skill required by subsection (f)(5) of this section, the employer shall retrain each such employee. Circumstances where retraining is required include, but are not limited to, situations where:

(A) Changes in the workplace render previous training obsolete; or

(B) Changes in the types of PPE to be used render previous training obsolete; or

(C) Inadequacies in an affected employee's knowledge or use of assigned PPE indicate that the employee has not retained the requisite understanding or skill.

(7) The employer shall verify that each affected employee has received and understood the required training through a written certification that contains the name of each employee trained, the date(s) of training, and that identifies the subject of the certification.

(8) Subsections (f)(1) and (2) and (f)(4) through (7) of this section apply only to Sections 3381, 3382, 3384 and 3385 of these Orders. Subsections (f)(1) and (2) and

(f)(4) through (7) of this section do not apply to Section 5144 of these Orders and Section 2940.6 of the High Voltage Electrical Safety Orders. Subsection (f) does not apply to workplace operations regulated by the Construction Safety Orders or the Mine Safety Orders.

Note: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

HISTORY

1. Repealer and new section filed 7-11-74; effective thirtieth day thereafter (Register 74, No. 28).
2. Amendment of subsection (c) filed 4-27-79; effective thirtieth day thereafter (Register 79, No. 17).
3. Amendment of subsection (d) and amendment of Note filed 12-30-2004; operative 1-29-2005 (Register 2004, No. 53).
4. New subsections (f)-(f)(8) filed 4-13-2011; operative 4-13-2011. Submitted to OAL for filing with the Secretary of State and printing only pursuant to Labor Code section 142.3(a)(3) (Register 2011, No. 15).