

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210



April 3, 1995

Ms. Wilma L. Tisdal
Safety Committee Chairperson International
Association of Machinists and Aerospace Workers
Local 1109
2383 N. State Rd. 3
Lexington, Indiana 47138

Dear Ms. Tisdal:

This is a response to your letter of January 9, 1995 regarding employers' obligation to pay for personal protective equipment. We regret that due to increasing requests for letters of interpretation, or clarification, we were unable to respond to your inquiry in a shorter timeframe. Specifically, you asked if employers have to pay for safety shoes.

The employer is obligated to provide and to pay for personal protective equipment required by the company for the worker to do his or her job safely and in compliance with OSHA standards. Where equipment is very personal in nature, such as safety shoes, and is usable by workers off the job, the matter of payment may be left to labor-management negotiations. However, items such as safety shoes which are subject to contamination by carcinogens or other toxic or hazardous substances, and which cannot be safely worn off-site, must be paid for by the employer.

Enclosed is a copy of the revised portions of the general industry safety standards addressing personal protective equipment (29 CFR 1910.132), and a copy of our policy memorandum addressing employers' obligation to pay for personal protective equipment.

We appreciate your interest in employee safety and health. If we can be of further assistance, please contact Russelle R. McCollough of my staff, telephone (202) 219-8031.

Sincerely,

Raymond E. Donnelly, Director
Office of General Industry Compliance Assistance