

# U.S. Department of Labor

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



August 22, 1977

Mr. I.E. Coufal  
421 1/2 Witter Street  
Pasadena, Texas 77506

Dear Mr. Coufal:

This is in response to your letter dated June 26, 1977, which was forwarded to this office for reply, regarding the wearing of hard hats.

The Occupational Safety and Health Administration (OSHA) head protection standards require that head protection shall be provided and used whenever it is necessary by reason of hazard of processes or environment which could cause injury. The employer should determine which, if any, of his employees are exposed to the head injury hazards mentioned in the above standards and provide the necessary head protection for them. This does not mean that construction or other employees are required to wear hard hats at all times when working on construction projects. When employees are exposed to the possibility of head injuries, hard hats shall be worn. When employees are not exposed to possible head injuries, the hard hats are not required by the OSHA standard, which then becomes solely a matter of employment conditions existing between the employer and his employees, and where applicable, subject to any labor/management contractual agreement.

Thus, it is the responsibility of the employer, prior to the OSHA inspection, to evaluate with good judgment the head injury hazards of the specific situations and activities in which he may involve his employees, and decide whether hard hats are needed to be worn. OSHA has obviously not attempted to prepare for the employer an industry-wide "yes-no" type of chart or document for wearing hard hats according to mutually exclusive and completely exhaustive categories of situations, activities, construction sites, etc., which approach infinity in number.

Should you have any further question on this matter, you may find it expedient to contact the OSHA Houston Area Office, in your locale. The address and telephone number of this office are:

Area Director U.S. Department of Labor - OSHA 2320 La Branch Street, Room 2118 Houston, Texas 77004 Telephone number: 713-226-5431

If I may be of any further assistance, please feel free to contact me.

Sincerely,

Eula Bingham  
Assistant Secretary  
Occupational Safety and Health