

# U.S. Department of Labor

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



March 23, 2007

Mr. Brian F. Bisland  
33 West Old Farm Road  
Hopewell Junction, New York 12533

Dear Mr. Bisland:

This is in response to your July 5, 2006 letter to the Occupational Safety and Health's Administration's (OSHA) Correspondence Control Unit, in which you requested an interpretation of "in near proximity" for 29 CFR 1910.151(b).

Paragraph 1910.151(b) of OSHA's general industry standard on medical services and first aid states, "In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first aid. Adequate first aid supplies shall be readily available." The OSHA construction standard at 29 CFR 1926.50(c) has a similar requirement.

OSHA stated in a letter of interpretation dated January 16, 2007 to Mr. Charles F. Brogan: "The primary requirement addressed by these first aid standards is that an employer must ensure prompt first aid treatment for injured employees, either by providing for the availability of a trained first aid provider at the worksite, or by ensuring that emergency treatment services are within reasonable proximity of the worksite." The employer must ensure that ". . . adequate first aid is available in the critical minutes between the occurrence of an injury and the availability of physician or hospital care for the injured employee."

The letter further explains: "While the first standards do not prescribe a number of minutes, OSHA has long interpreted the term 'near proximity' to mean that emergency care must be available within no more than 3-4 minutes from the workplace. Medical literature establishes that, for serious injuries such as those involving stopped breathing, cardiac arrest, or uncontrolled bleeding, first aid treatment must be provided within the first few minutes to avoid permanent medical impairment or death. Accordingly, in workplaces where serious accidents such as those involving falls, suffocation, electrocution, or amputation are possible, emergency medical services must be available within 3-4 minutes, if there is no employee on the site who is trained to render first aid."

OSHA does exercise discretion in enforcing the first aid requirements in particular cases. For example, OSHA recognizes that in workplaces, such as offices, where the possibility of such serious work-related injuries is less likely, a longer response time of up to 15 minutes may be reasonable.

The January 16, 2007 letter also notes: "Other standards that apply to certain specific hazards or industries make employee first aid training mandatory, and reliance on outside emergency responders is not an allowable alternative. For example, see 29 CFR 1910.266(i)(7) (mandatory first aid training for logging employees), and 29 CFR 1910.269(b) (requiring persons trained in first aid at work locations in the electric power industry) . . . You may find these standards on OSHA's website, <http://www.osha.gov>, by following the link to 'standards' and searching for 'first aid'. . . 'logging,' etc."

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Thank you for your interest in occupational safety and health. I have enclosed the aforementioned letter to Mr. Brogan for your reference. We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can continue to consult OSHA's website, as mentioned above, at <http://www.osha.gov>.

If you have any further questions, please feel free to contact the Office of General Industry Enforcement at (202) 693-1850.

Sincerely,

Richard E. Fairfax, Director  
Directorate of Enforcement Programs