

U.S. Department of Labor

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



July 21, 1998

Dennis Vance
Safety Specialist
Safety Services
711 Low Gap Road
Princeton, WV 24740

Dear Mr. Vance:

RE: 1926.451(g); 1926.452(w); 1926.453; 1926.502(d); CPL 2-1.23; ANSI A92.2; ANSI A92.6;
scissors lift.

This is in response to your letter of May 27 to the Occupational Safety and Health Administration (OSHA) in which you asked whether an employee working from a scissors lift equipped with guardrails needed to wear a "safety harness." You further expressed concern for the confusion created by OSHA's scaffold standard and its directive, CPL 2.112 (sic). Please accept our apology for the delay in responding to this inquiry and for any previously submitted requests.

We recognize that there is confusion regarding scissors lifts and the appropriate standards governing such equipment. The confusion stems from the way OSHA's directive is worded. In CPL 2-1.23, titled "Inspection Procedures for Enforcing Subpart L, Scaffolds Used in Construction - 29 CFR 1926.450-454," dated January 7, 1997, the statement in paragraph K.9.b states that scissors lifts are addressed by 1926.453, Aerial Lifts, and not by 1926.452(w), Mobile Scaffolds. The directive should have more clearly indicated that only aerial lifts meeting the design and construction of the American National Standards Institute (ANSI) A92.2, Vehicle Mounted Elevating and Rotating Work Platforms, are addressed by 1926.453 since the coverage of that section is specifically limited to such lifts. All other types of mobile lifts would be covered by the specific requirements at 1926.452(w) and/or the general requirements of 1926.451. Please note, however, that if an employer is in full compliance with the requirements of the relevant document of the ANSI A92 series, OSHA would consider that compliance as providing an appropriate degree of safety for employees.

In regards to your specific question, when working from an elevated scissors lift (ANSI A92.6 series), a worker need only be protected from falling by a properly designed and maintained guardrail system. However, if the guardrail system is less than adequate, or the worker leaves the safety of the work platform, an additional fall protection device would be required. The general scaffolding fall protection provision found in 1926.451(g)(1)(vii) reads in part, "[f]or all scaffolds not otherwise specified in this section, each employee shall be protected by the use of personal fall arrest systems or guardrails systems."

If you require any further assistance, please do not hesitate to contact us again by writing to OSHA- Directorate of Construction, Office of Construction Standards and Compliance Assistance, Room N3621, 200 Constitution Ave., NW, Washington, D.C. 20210.

Sincerely,

Russell B. Swanson, Director
Directorate of Construction