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L. **Appendix A to Subpart I of Part 1915 – Non-Mandatory Guidelines for Hazard Assessment, Personal Protective Equipment (PPE) Selection, and PPE Training Program.**

[\*Appendix A of 29 CFR Part 1915, Subpart I\*](#) (Shipyard Employment PPE), provides suggested guidelines for complying with the requirements for hazard assessment for the selection of PPE. OSHA added Appendix A to the shipyard PPE standard to provide some examples of guidelines which an employer may follow in complying with OSHA's performance-oriented final rule.

M. **Appendix B to Subpart I of Part 1915 – General Testing Conditions and Additional Guidelines for Personal Fall Protection Systems (Non-Mandatory).**

[\*Appendix B of 29 CFR Part 1915, Subpart I\*](#) (Shipyard Employment PPE) contains testing methods and other information to assist employers in complying with the performance-oriented criteria for personal fall arrest systems and positioning device systems contained in this standard.

XV. **Employer Obligations to Provide and Pay for Personal Protective Equipment (PPE).**

The PPE standards, 29 CFR 1915.151 through 1915.160, establish the employer's obligation to provide PPE to employees. In particular, 29 CFR 1915.152(a) states: "The employer shall provide and shall ensure that each affected employee uses the appropriate personal protective equipment (PPE) for the eyes, face, head, extremities, torso, and respiratory system, including protective clothing, protective shields, protective barriers, personal fall protection equipment, and life saving equipment, meeting the applicable provisions of this subpart, wherever employees are exposed to work activity hazards that require the use of PPE."

A. **Summary.**

OSHA's final rule for *Employer Payment for Personal Protective Equipment* requires employers to pay for the PPE used to comply with OSHA standards, with specific exceptions. [72 F.R. 64341-64430](#) (November 15, 2007).

B. **Background.**

Many OSHA safety and health standards require employers to provide their employees with specific protective equipment, including personal protective equipment (PPE), when such equipment is necessary to protect employees from job-related injuries, illnesses, and fatalities. These requirements address PPE such as: hard hats, gloves, goggles, safety shoes, safety glasses, welding helmets and goggles, face shields, chemical protective equipment, and fall protection equipment. OSHA standards requiring PPE state that the employer is to provide such PPE, but some of these provisions do not state that the employer is to provide such PPE at no cost to the

employee.

OSHA's final rule for *Employer Payment for Personal Protective Equipment* adds explicit employer payment requirements to PPE provisions applicable to most industries, including the shipyard employment PPE provisions at 29 CFR 1915. [72 F.R. 64341-64430](#) (November 15, 2007).

The rule did not change existing OSHA requirements as to the types of PPE that must be provided. Instead, the rule merely clarified that employers must pay for PPE **required to comply with OSHA standards**, except in the limited cases specified in the standards.

The final rule for *Employer Payment for Personal Protective Equipment* became effective on February 13, 2008. The compliance deadline was May 15, 2008. This instruction provides enforcement guidance on the payment responsibilities of employers under OSHA standards requiring the use of PPE.

The PPE payment regulatory text for shipyard employment can be found at [1910.152\(f\)\(1\) through \(f\)\(7\)](#). The provisions applicable to other OSHA Parts are noted below.

C. **PPE that is required to be provided at no cost to employees.**

<b>PPE Payment Standards for Covered Industries</b>	
General Industry	1910.132(h)(1) through (h)(7)
Shipyard Employment	1915.152(f)(1) through (f)(7)
Marine Terminals	1917.96(a) through (g)
Longshoring	1918.106(a) through (g)
Construction	1926.95(d)(1) through (d)(7)

1. Employers must provide at no cost to employees the PPE that is used to comply with the provisions in Parts 1910, 1915, 1917, 1918, and 1926 that require PPE.
2. Employers must provide at no cost to employees the PPE that is necessary to protect against the hazards that the employer is aware of as a result of any assessments required by those Parts.

In some provisions, such as [1915.152\(b\)](#), there is an explicit requirement to perform a hazard assessment. In others, such as [1926.95\(a\)](#), the requirement to provide PPE “wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact” implies a duty to determine whether such hazards exist.

3. Generally, employers must provide PPE at no cost to their employees.
  - a. CSHOs should determine all relevant factors that establish the existence of an

employer-employee relationship. The nature and degree of control asserted over the work is one of many factors in examining whether an employer-employee relationship is present. Other factors include the level of skill required to perform effectively, the source of required instruments and tools, the location of the work, the duration of the relationship between the parties, the right of the employer to assign new projects to the individual, the extent of the individual's control over when and how long to work, the method of payment, the individual's role in hiring and paying assistants, whether the work is the regular business of the employer, the provision of employee benefits, and the tax treatment of the individual. If a difficult question arises, then consult the Regional Solicitor.

- b. As noted above, the final rule applies to general industry, shipyard employment, marine terminals, longshoring, and construction. The PPE payment requirements apply to all employers in these industries, including those with short-term employees, whether referred to as temporary employees, piece workers, seasonal employees, hiring hall employees, labor pool employees, or transient employees. The PPE payment rule does not apply to agriculture.
  - c. If an employer-employee relationship is established, then the employer must provide PPE at no cost to that employee. A truly self-employed "independent contractor" is not an "employee" under the OSH Act and is not covered by OSHA standards. CSHOs should carefully scrutinize claims that employees involved in ship repairing, shipbuilding, shipbreaking and related employments are in fact truly independent contractors.
4. Employers must provide, at no cost to employees, metatarsal guards attachable to shoes when metatarsal protection is necessary ([1915.152\(f\)\(3\)](#)). If metatarsal protection is necessary under OSHA standards, and an employer requires employees to use metatarsal shoes instead of detachable guards, then the employer is required to provide the metatarsal shoe at no cost to the employee. If the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, then the employer is not required to pay for the metatarsal shoes or boots.
  5. An employer must provide, at no cost to employees, upgraded PPE that the employer chooses to use to meet OSHA PPE requirements. OSHA standards set minimum requirements, but if employers choose a more expensive way to comply, then they have to provide the "upgraded" PPE at no cost to employees.
- D. Examples of PPE that employers must provide at no cost to employees. The list below provides examples of PPE items that an employer is required to provide at no cost to employees under the PPE payment rule in complying with an OSHA standard. This table is not intended to be exhaustive.

**EXAMPLES OF PPE FOR WHICH EMPLOYER PAYMENT IS REQUIRED WHEN USED TO COMPLY WITH AN OSHA STANDARD**

Metatarsal foot protection.
Special boots for longshoremen working logs.
Rubber boots with steel toes.
Shoe covers – toe caps and metatarsal guards.
Non-prescription eye protection.
Prescription eyewear inserts/lenses for full-facepiece respirators.
Prescription eyewear inserts/lenses for welding and diving helmets.
Goggles.
Face shields.
Laser safety goggles.
Firefighting PPE (helmet, gloves, boots, proximity suits, full gear).
Hard hats.
Hearing protection.
Welding PPE.
Items used in medical/laboratory settings to protect from exposure to infectious agents (aprons, lab coats, goggles, disposable gloves, shoe covers, etc.).
Non-specialty gloves: <ul style="list-style-type: none"> <li>• Payment is required if they are PPE, such as for protection from dermatitis, severe cuts/abrasions.</li> <li>• Payment is not required if they are only for keeping clean or for cold weather (with no safety or health considerations).</li> </ul>
Rubber sleeves.
Aluminized gloves.
Chemical-resistant gloves/aprons/clothing.
Barrier creams (unless used solely for weather-related protection).
Rubber insulating gloves.
Mesh cut-proof gloves, mesh or leather aprons.
Self Contained Breathing Apparatus, atmosphere-supplying respirators (escape only).
Respirators.
Personal fall protection.
Ladder safety device belts.
Climbing ensembles used by linemen (for example, belts and climbing hooks).
Window cleaners' safety straps.
Personal Flotation Devices (life jackets).
Encapsulating chemical protective suits.
Reflective work vests.
Bump caps.

**E. Exceptions to the PPE Payment Rule (i.e., PPE that the rule does not require to be provided at no cost to employees). For example:**

**Non-Specialty PPE or Ordinary Safety Equipment**

- Safety toe protective footwear (leather/steel toe shoes/boots)



- Prescription safety eyewear (ordinary)

### Specialty PPE

- Rubber boots with steel toes.
  - Prescription eyewear inserts/lenses for welding and diving helmets.
1. **Non-specialty safety-toe protective footwear** if the employer allows the employee to wear it off the job site. (See [29 CFR 1910.132\(h\)\(2\)](#); [1915.152\(f\)\(2\)](#); [1917.96\(b\)](#); [1918.106\(b\)](#); [1926.95\(d\)\(2\)](#)).
  2. **Non-specialty prescription safety eyewear** if the employer allows the employee to wear it off the job site. (See [29 CFR 1910.132\(h\)\(2\)](#); [1915.152\(f\)\(2\)](#); [1917.96\(b\)](#); [1918.106\(b\)](#); [1926.95\(d\)\(2\)](#)).
  3. **Metatarsal shoes** (shoes with integrated metatarsal protection) as long as the employer allows the use of and provides, at no cost to employees, metatarsal guards attachable to shoes when metatarsal protection is required by OSHA standards. (See [29 CFR 1910.132\(h\)\(3\)](#); [1915.152\(f\)\(3\)](#); [1917.96\(c\)](#); [1918.106\(c\)](#); [1926.95\(d\)\(3\)](#)).
  4. **Logging boots** required by [1910.266\(d\)\(1\)\(v\)](#). The logging standard does not require employers to pay for the logging boots required by [1910.266\(d\)\(1\)\(v\)](#), but leaves the responsibility for payment open to employer and employee negotiation. The final PPE payment rule excludes this PPE from the employer payment requirement. (See [29 CFR 1910.132\(h\)\(4\)\(i\)](#)).
  5. **Everyday clothing**. Long-sleeved shirts, long pants, street shoes, and ordinary fabric or leather work gloves may help employees avoid workplace injury and have protective value; however, the final rule excludes this everyday clothing from the employer payment rule. (See [29 CFR 1910.132\(h\)\(4\)\(ii\)](#); [1915.152\(f\)\(4\)\(i\)](#); [1917.96\(d\)\(1\)](#); [1918.106\(d\)\(1\)](#); [1926.95\(d\)\(4\)\(i\)](#)).
  6. **Ordinary clothing** used solely for protection from weather. Employers are not required to pay for ordinary clothing, skin creams, or other items used solely for protection from weather such as winter coats, jackets, gloves, and parkas that employees would normally have to protect themselves from the elements. (See [29 CFR 1910.132\(h\)\(4\)\(iii\)](#); [1915.152\(f\)\(4\)\(ii\)](#); [1917.96\(d\)\(2\)](#); [1918.106\(d\)\(2\)](#); [1926.95\(d\)\(4\)\(ii\)](#)).

NOTE: In the rare case that ordinary weather gear is not sufficient to protect the employee and special equipment or extraordinary clothing is needed to protect the employee from unusually severe weather conditions, the employer is required to pay for such protection. Clothing used in artificially-controlled environments with extreme hot or cold temperatures, such as freezers, is not considered part of the weather gear exception.

7. **Replacement PPE when the employee has lost or intentionally damaged the PPE.**

Existing PPE standards require that the employer provide replacement PPE used to comply with OSHA standards as necessary, when the PPE no longer provides the protection it was designed to provide, or when the previously provided PPE is no longer adequate or functional. The final rule clarifies that when an employee has lost or intentionally damaged the PPE issued to him or her, an employer is not required to pay for its replacement and may require the employee to pay for such replacement. (See [29 CFR 1910.132\(h\)\(5\)](#); [1915.152\(f\)\(5\)](#); [1917.96\(e\)](#); [1918.106\(e\)](#); [1926.95\(d\)\(5\)](#)).

#### 8. **Employee-owned PPE.**

- a. This exception refers to PPE that employees already own and request to use (and are allowed by the employer to use) instead of the PPE that the employer provides at no cost to employees.
- b. This exception also refers to upgraded PPE that employees want to buy and use (and that the employer allows) instead of the PPE that the employer provides at no cost to employees.
- c. The PPE payment rule recognizes that employees may wish to use PPE they already own. If the employer determines that the PPE is adequate and allows them to use the PPE instead of the PPE the employer has provided at no cost to employees, then the rule does not require the employer to reimburse the employee. However, the rule also makes clear that employers cannot require employees to provide their own PPE or to pay for their own PPE, unless such PPE is specifically exempted by the standard. The employee's use of PPE that he or she owns must be completely voluntary and not a condition of employment, continuing employment, or a condition for placement in a job. (See [29 CFR 1910.132\(h\)\(6\)](#); [1915.152\(f\)\(6\)](#); [1917.96\(f\)](#); [1918.106\(f\)](#); [1926.95\(d\)\(6\)](#)).

NOTE: OSHA recognizes that in certain emergency situations, such as response to a natural disaster, where immediate action is required, it may be necessary for employers to hire or select employees already in possession of the appropriate PPE.

NOTE: Where employees provide their own protective equipment, employers have a duty under [1915.152\(a\), \(c\) and \(d\)](#) to ensure the adequacy of the equipment, including proper maintenance and sanitation of the equipment.

#### 9. **Upgraded and Personalized PPE.**

- a. An employer does not have an obligation to pay for PPE requested by an employee that exceeds the PPE requirements, provided that the employer provides PPE that meets the standards at no cost to the employee.
- b. If the employer allows the employee to acquire and use upgraded or personalized PPE, then the employer is not required to reimburse the employee for the equipment, provided that the employer has provided adequate PPE at no cost to the employee.

- c. An employer is still required to evaluate an employee’s upgraded or personalized PPE to ensure that it is: adequate to protect from hazards present in the workplace, properly maintained, and kept in a sanitary condition.

**10. Examples of PPE and Other Items Exempted from the Employer Payment Requirements.**

The list below provides examples of PPE and other items that an employer is *not* required to provide at no cost.

**EXAMPLES OF PPE AND OTHER ITEMS EXEMPTED FROM THE EMPLOYER PAYMENT REQUIREMENTS**

Non-specialty safety-toe protective footwear (such as, steel-toe shoes/boots).
Non-specialty prescription safety eyewear.
Sunglasses/sunscreen.
Sturdy work shoes.
Non-specialty slip-resistant, non-safety-toe footwear.
Lineman’s boots.
Ordinary cold weather gear (coats, parkas, cold weather gloves, and winter boots).
Logging boots required under <a href="#">1910.266(d)(1)(v)</a> .
Ordinary rain gear.
Back belts.
Long-sleeve shirts.
Long pants.
Dust masks and respirators used under the voluntary use provisions in <a href="#">1910.134</a> .
Items worn to keep employees clean for purposes unrelated to safety or health (denim coveralls, aprons).
Items worn for product or consumer safety (not employee safety and health). For example: hairnets worn solely to protect food products from contamination, that is not used to comply with machine guarding requirements; and plastic or rubber gloves worn solely to prevent food contamination during meal preparation (This would <i>not</i> include cut-proof gloves worn to prevent lacerations).
Items worn for patient safety and health; not employee safety and health.
Uniforms, caps or other clothing worn solely to identify a person as an employee.
Travel time and related expenses for employees to shop for PPE.

**F. Permissible Use of PPE.**

- 1. An employer may allow PPE to be used off of the job site. However, they still must provide the required PPE at no cost to employees, even if use of the PPE is allowed off-site.

NOTE: Some substance-specific OSHA standards require that PPE remain at the job site.

2. An employer may require that PPE provided at no cost to the employee remain at the worksite in, for example, lockers or other storage facilities.

NOTE: If an employer requires, for any reason, employees to leave their non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty safety eyewear at the worksite, then the employer must provide that PPE at no cost to employees.

3. Employers can use policies such as allowances, replacement schedules, and fair and uniformly enforced work rules to ensure that employees properly use and care for employer-provided PPE so long as the policies ensure that employees receive replacement PPE at no cost to them as required by the rule.

4. Recovery of PPE.

- a. The rule does not prohibit the employer from requiring the employee to return the PPE (provided at no cost) upon termination of employment. If an employee quits his/her job and does not return the employer's PPE, then the employer may require the employee to pay for it, or take reasonable steps to retrieve the PPE.
- b. Employers who employ short-term and part-time employees may require employees to return employer-owned PPE at the end of the day or when they terminate employment, and may use a deposit system or other mechanism to help ensure that such employees return the PPE.

5. Payment for Replacement PPE.

- a. Employers are required to replace PPE following the criteria in OSHA's existing standards governing when PPE is required to be replaced. For example: "Hearing protectors shall be replaced as necessary," under [29 CFR 1910.95\(i\)\(1\)](#) means that employers must replace worn out hearing protectors.
- b. Employers must provide replacement PPE at no cost to the employee except when the employee has lost or intentionally damaged the PPE.
- c. Employers do not have to bear the cost of replacing PPE that the employee has lost, even if it is a single instance. The PPE may be considered "lost" if the employee comes to work without the issued PPE.
- d. The rule does not prohibit employers from sending employees home to retrieve the PPE or from charging an employee for replacement PPE when the employee fails to bring the PPE back to the workplace.
- e. Employers are free to develop and implement workplace rules, such as reasonable and appropriate disciplinary policies, replacement schedules, and allowances, to ensure that employees have and use the PPE that the employer has provided at no cost to employees.

- f. The employer has an obligation to pay for replacement PPE when the working conditions have changed such that PPE an employee has provided at his/her cost, and which was not previously required to comply with an OSHA standard, later becomes required by an OSHA standard.
- g. If the employee has provided PPE at his/her own cost that is no longer adequate, then the employer must pay for the replacement PPE that is required to comply with the rule, unless the employee voluntarily decides to provide and pay for his or her own replacement PPE, which may occur if the employee wants personalized or upgraded PPE. However,
  - the employer is prohibited from requiring employees to provide their own PPE unless exempted from the payment standard; and
  - the employer must pay for replacement PPE if the employee no longer volunteers his or her own PPE for workplace use.

## G. Other PPE Guidance and Information.

### 1. **Reflective Clothing.**

CSHOs shall cite Section 5(a)(1) of the OSH Act and not [29 CFR 1915.152\(a\)](#), for failure to provide employees high visibility, reflective, or warning clothing or vests for any violations identified in shipyard employment.

### 2. **Electric Arc and Flame-Resistant (FR) Clothing.**

It is noted that [1910.269](#) does not specifically require employers to protect employees who are exposed to momentary electric arc and related thermal hazards (i.e., exposure to open flame and radiant heat) through the use of flame-resistant clothing. However, the employer must ensure that each employee who is exposed to the hazard of flames or electric arcs does not wear clothing that, when exposed to flames or electric arcs could increase the extent of injury that would be sustained by the employee.

NOTE: On June 15, 2005, OSHA proposed to amend the existing standards in Parts 1910 and 1926 for Electric Power Generation, Transmission, and Distribution; [Electrical Protective Equipment](#) (70 F.R. 34821-34980). OSHA proposed a rule that would require employers to provide FR clothing under certain conditions. If OSHA determines in that rulemaking that FR clothing is required, then it will become subject to the provisions of the PPE payment rule, unless the standard specifically exempts FR clothing from employer payment.

### 3. **Other FR Clothing.**

Employers are required to provide, at no cost to employees, FR clothing for applications such as, but not limited to, the handling of flammable chemicals.

CSHOs shall cite [29 CFR 1910.132\(a\)](#), for failure to provide and ensure the use of flame-

resistant clothing necessary to protect employees from burns due to flash fires.

CSHOs shall cite [29 CFR 1910.132\(b\)](#), for failure to ensure that employee-owned FR clothing is properly maintained and sanitary.

CSHOs shall cite [29 CFR 1910.132\(c\)](#), for failure to provide FR clothing that is of safe design and construction for the work being performed. CSHOs may refer to consensus standards such as NFPA 2112 and 2113 for selection, performance and design requirements.

Employers are required to provide at no cost to employees, personal protective clothing and equipment for fire response employees. CSHOs will consider citing [1915.505\(e\)\(1\)\(i\)](#), when the employer does not supply to all fire response employees, at no cost, the appropriate personal protective clothing and equipment they may need to perform expected duties.

#### XVI. Citation Policy for PPE Payment.

##### A. **1915 standards requiring PPE to be provided at no cost to the employee.**

1. [29 CFR 1915.152\(f\)\(1\)](#), *Payment for protective equipment*. Except as provided by paragraphs (f)(2) through (f)(6) of this section, the protective equipment, including personal protective equipment (PPE), used to comply with this part, shall be provided by the employer at no cost to employees. If a standard requiring the use of PPE addresses the issue of payment, then that specific standard shall be cited if the employer fails to provide the required PPE at no cost to employees. Below are two examples of 1915 standards that address the issue of payment for PPE.
2. [29 CFR 1915.1001\(h\)\(2\)\(i\)](#), *Asbestos*. Employers must select and provide to employees at no cost, the appropriate respirators specified in 29 CFR 1910.134(d)(3)(i)(A); however, employers must not select or use filtering face piece respirators for use against asbestos fibers.
3. [29 CFR 1915.1026\(g\)\(1\)](#), *Chromium (VI)*. The employer shall provide appropriate personal protective clothing and equipment at no cost to employees, and shall ensure that employees use such clothing and equipment.

##### B. **Citations for employer failure to pay under 29 CFR 1915.**

1. Employers shall be cited under [29 CFR 1915.152\(f\)\(1\)](#) whenever they charge an employee for the cost of required PPE they have provided. Employers shall be cited under [29 CFR 1915.152\(f\)\(5\)](#) when they have failed to pay for replacement PPE at no cost, except in cases where the employee has lost or intentionally damaged the PPE. Citations shall be issued under [29 CFR 1915.152\(f\)\(6\)](#) when the employer requires an employee to use PPE he or she already owns, unless the PPE is exempted by paragraphs (f)(2) through (f)(5).

2. In cases where an employer is cited for failing to provide PPE, an additional citation should not be issued for failure to pay for the PPE.
3. Classifications and grouping violations of [29 CFR 1915.152\(f\)](#) should be in accordance with OSHA Instruction [CPL 02-00-148](#), *OSHA Field Operations Manual (FOM), Chapter 4, Violations*.
4. Abatement dates for violations of [29 CFR 1915.152\(f\)](#) shall normally not exceed 30 days.

**C. Citation scenarios.**

The following are examples of potential workplace conditions that would lead to a citation under [29 CFR 1915.152\(f\)](#):

1. The employer has provided the PPE required by an OSHA standard under Part 1915, but charges the employee for the equipment by deducting the costs of the PPE from the employee's pay.
  - The employer would be cited for a violation of [29 CFR 1915.152\(f\)\(1\)](#).
2. The employee initially purchases the required PPE and is reimbursed by the employer several months later.
  - Reimbursement systems that delay payment of PPE should not exceed one billing cycle or one pay period. The employer would be cited for a violation of [29 CFR 1915.152\(f\)\(1\)](#).
3. The employer provides and pays for the initial PPE in accordance with another OSHA standard but later charges the employee for replacement PPE.
  - Provided that the employee has not lost or intentionally damaged the PPE, the employer would be cited for a violation of [29 CFR 1915.152\(f\)\(5\)](#).
4. Initially, an employee voluntarily provides his/her own PPE that the employer would have been required to provide at no cost; however, the employee later decides not to continue using the PPE for work. The employer purchases the required PPE for the employee but charges the employee for it.
  - The employee may voluntarily use their own equipment without employer reimbursement, provided that the PPE is adequate and the employer allows its use. However, an employee may elect to stop volunteering their own equipment. If the employer charges the employee for replacing this PPE, then the CSHO should cite for a violation of [29 CFR 1915.152\(f\)\(5\)](#).

**D. PPE payment questions and answers.**

1. **Are employers required to pay for lineman belts and hooks when used to comply with an OSHA standard?**

Yes. Lineman belts and hooks provide protection to employees from falls while climbing and/or performing work. This equipment is considered PPE and employers must pay for it when used to comply with an OSHA standard.

2. **Electrical employees may use fiberglass poles known as “hot sticks” to push over power lines when they are working on the lines. Are these poles regarded as PPE?**

No. While some specific and specialized tools have protective characteristics, such as electrically insulated “hot sticks” used by electric utility employees to handle live power lines, this equipment is more properly viewed as an engineering control that isolates the employee from the hazard. Therefore, they are not covered by the PPE payment standard. However, because they are an engineering control method, employers must pay for this equipment.

3. **As it pertains to prescription eyewear, would non-specialty safety eyewear furnished with permanent side shields be paid for by the employer?**

The PPE payment rule specifically exempts non-specialty prescription safety eyewear. Non-specialty safety eyewear worn to protect an employee from impact hazards typically has removable or permanent side shields to provide this protection. Employers are not required to pay for prescription safety eyewear with removable or permanent side shields as long as the employer provides safety eyewear that fits over the employee’s prescription lenses. (See preamble to [72 F.R. 64341-64430](#), *Employer Payment for Personal Protective Equipment; Final Rule*, November 15, 2007.)

4. **In some situations, employees are required to wear shoes with a slip-resistant sole that are uniform in color. The employees wear the shoes to and from work and in other places outside of the work environment. These shoes are indistinguishable from ordinary “street” shoes and many different types of shoes with rubber soles. These employees are not exposed to hazards such as crushing or penetrating injuries or falling or rolling objects, requiring safety shoes with steel toes or metatarsal protection. In such cases, would the slip-resistant shoes required here rise to the level of safety footwear with additional protection or more specialized protection, and, therefore, must be provided at no cost?**

No. The employer is not required to pay for non-specialty shoes that offer some slip-resistant characteristics, but are otherwise ordinary clothing in nature.

5. **What are some examples of equipment that the standard does not require employers to pay for?**

Employers are not required to pay for items worn to keep an employee clean for purposes unrelated to safety or health (e.g., denim coveralls and aprons worn solely to prevent clothing and/or skin from becoming soiled and unrelated to safety or



health). In addition, the employer does not have to pay for uniforms, caps, or other clothing worn solely to identify a person as an employee. (See section XV.E.10., *Examples of PPE and Other Items Exempted from the Employer Payment Requirements* for additional examples.)

XVII. PPE Standards Reference Table.

The following table is provided to assist in the identification of applicable OSHA standards that require PPE.

**OSHA Standards that Require PPE <sup>1</sup>**

General Industry		Shipyard Employment	Marine Terminals	Longshoring	Construction	
1910.28	1910.268	1915.12	1917.22	1918.85	1926.28	1926.353
1910.66	1910.269	1915.13	1917.23	1918.86	1926.52	1926.354
1910.67	1910.272	1915.32	1917.25	1918.88	1926.55	1926.416
1910.94	1910.333	1915.33	1917.26	1918.93	1926.57	1926.451
1910.95	1910.335	1915.34	1917.49	1918.94	1926.60	1926.453
1910.119	1910.1000	1915.35	1917.71	1918.101	1926.62	1926.501
1910.120	1910.1001	1915.51	1917.73	1918.102	1926.64	1926.502
1910.132	1910.1003	1915.53	1917.91	1918.103	1926.65	1926.550
1910.133	1910.1017	1915.73	1917.92	1918.104	1926.95	1926.551
1910.134	1910.1018	1915.77	1917.93	1918.105	1926.96	1926.605
1910.135	1910.1025	1915.135	1917.94		1926.100	1926.651
1910.136	1910.1026	1915.152	1917.95		1926.101	1926.701
1910.137	1910.1027	1915.153	1917.118		1926.102	1926.760
1910.138	1910.1028	1915.154	1917.126		1926.103	1926.800
1910.146	1910.1029	1915.155	1917.152		1926.104	1926.951
1910.156	1910.1030	1915.156	1917.154		1926.105	1926.955
1910.157	1910.1043	1915.157			1926.106	1926.959
1910.160	1910.1044	1915.158			1926.250	1926.1053
1910.183	1910.1045	1915.159			1926.300	1926.1101
1910.218	1910.1047	1915.160			1926.302	1926.1126
1910.242	1910.1048	1915.504			1926.304	1926.1127
1910.243	1910.1050	1915.505				
1910.252	1910.1051	1915.1001				
1910.261	1910.1052	1915.1026				
1910.262	1910.1096					
1910.265	1910.1450					
1910.266						

<sup>1</sup> Other PPE requirements may be enacted from time to time. This list should not be considered definitive.