

13 NCAC 07F .0605 FALL PROTECTION

(a) General. Prior to employees climbing the tower at heights above six feet, the employer shall ensure that 100% fall protection systems compatible with the tasks assigned are provided, used, and maintained. The rules in this Section shall not require the retrofitting of communication towers; provided, that employees who are exposed to fall hazards above six feet while performing work on communication towers are protected from such hazards by means of a 100% fall protection system.

(b) Pre-Climb Planning and Inspection. In addition to the criteria for pre-climb planning and inspection included in Paragraph (g) of this Rule, the employer shall ensure that the following items occur prior to employees climbing the tower at heights above six (6) feet:

- (1) All climbing jobs shall be planned by a competent person;
- (2) All climbing facilities shall be visually inspected daily at the tower base by a competent person for rust, corrosion, deterioration, or other hazards. Additionally, the employer shall ensure that the climbing facilities are visually inspected for these items, as it is ascended, to the elevation point where work is being performed. If any such hazard is identified during this inspection, employees shall not use the climbing facility until such hazards are abated;
- (3) A competent person shall ensure that all fall protection equipment is inspected prior to each use for wear, damage, defect or other deterioration by employees who have been trained in accordance with 13 NCAC 07F .0609. Defective equipment shall be identified as defective and immediately removed from service;
- (4) Components of a fall protection system and the fall protection equipment utilized by employees shall be compatible with one another and shall be utilized in accordance with the manufacturer's recommendations; and
- (5) The employer shall ensure that the planning and inspections are performed and documented. The documentation shall be maintained on site while work is being performed, and thereafter by the employer at its place of business. The documentation shall include the date of the planning and inspection, the name of the competent person performing the planning and inspection, and the site location.

(c) Fall Protection Systems. In order to comply with the requirements of Subparagraph (a)(1) of this Rule, the employer may permit employees to utilize the 100% fall protection systems described in Paragraphs (d) through (g) of this Rule. If the fall protection systems described therein are not present on the tower, the employer shall not permit employees to climb the tower at heights above six feet unless:

- (1) an alternative means of 100% fall protection is utilized that is at least as effective as the fall protection systems described in Paragraphs (d) through (g) of this Rule;
- (2) an alternative means of access to the work area is utilized such as an aerial lift or elevated work platform; or
- (3) the employer can demonstrate that the requirements for a fall protection plan under Paragraph (i) of this Rule have been met.

(d) Guardrail Systems. The employer shall ensure that guard rail systems and their components that are utilized by employees as a means of 100% fall protection conform to the criteria in 29 CFR 1926.502(b).

(e) Personal Fall Arrest Systems (PFAS). The employer shall ensure that personal fall arrest systems and their components that are utilized by employees as a means of 100% fall protection conform to the criteria in 29 CFR 1926.502(d), and are utilized according to the manufacturer's recommendations. When utilized by employees as an anchorage as part of a PFAS, the employer shall ensure that step bolts and the attachment point to the structure are designed to meet the requirements of an approved anchorage in accordance with 29 CFR 1926.502(d), and are designed to ensure the connector will not slip off the end of the step bolt.

(f) Positioning Device System. The employer shall ensure that positioning device systems and their components that are utilized by employees as a means of 100% fall protection conform to the criteria in 29 CFR 1926.502(e).

(g) Ladder Safety Systems. The employer shall ensure that, in addition to the applicable criteria in 29 CFR 1926, Subpart X, ladder safety systems and related support systems for fixed ladders that are utilized by employees as a means of 100% fall protection conform to the following criteria:

- (1) Prior to climbing the structure, the employer shall ensure that the employee(s) have tested the ladder safety system for proper operation and that all components utilized with the ladder safety system are compatible;
- (2) To perform the test required by Subparagraph (g)(1) of this Rule, the employee(s) shall:
 - (A) Approach the ladder at the base and connect to the functional safety climb system;
 - (B) Climb to a height less than six feet;

- (C) Forcibly engage the device without letting go of the ladder;
 - (D) If the device functions as intended, the employee(s) shall begin the ascension;
 - (E) If the device does not function properly, the employee(s) shall immediately descend the structure and shall not utilize the device until it functions properly; and
- (3) If a ladder is obstructed, inhibiting the effective use of the ladder safety system, an alternative means of 100% fall protection shall be utilized that is at least as effective as the types of fall protection described by this Rule.

(h) Fall Protection Plan. This Paragraph applies when employees are working on a structure where no adequate tie-off anchorage point(s) exist, the fall protection systems described in Paragraph (c) of this Rule are not feasible or create a greater hazard, and the work can not be completed utilizing an alternative means of access to the work area such as an aerial lift or elevated work platform. If an employer demonstrates the foregoing conditions are present, then in addition to the criteria in 29 CFR 1926.502(k), the employer shall conform to the following provisions:

- (1) The employer shall ensure that each employee under the fall protection plan has been trained as a qualified climber;
- (2) The fall protection plan shall be made available and communicated to exposed employee(s) prior to the employee(s) beginning work, and such communication shall be documented; and
- (3) The fall protection plan shall identify each location on the tower structure where fall protection methods as described in Paragraph (c) of this Rule cannot be used. As soon as adequate tie-off anchorage points or other fall protection systems can be established, the employer shall utilize any of the fall protection systems described in Paragraph (c) of this Rule.

(i) Emergency and Rescue Procedures.

- (1) The employer shall establish procedures for rescue of employees in the event of an emergency, which shall include whether the employer will designate its own employees to perform the rescue procedures or whether the employer will designate a third-party to perform the rescue procedures. The procedures shall be documented and available for review by the Deputy Commissioner of Labor for Occupational Safety and Health or his designee, upon request.
- (2) Employer to Perform Rescue Procedures. An employer whose employees have been designated to provide elevated (high angle) rescue and emergency services shall take the following measures:
 - (A) Ensure at least two trained and designated rescue employees are on site when employees are working at heights over six feet on the tower, provided however, where there are only two employees on site, then an employer may comply with the requirements of this Part if one employee is a trained and designated rescue employee and one employee has been employed for less than nine months and has received documented orientation from the employer outlining steps to take in an emergency;
 - (B) Ensure that personal protective equipment (PPE) and high angle rescue equipment needed to conduct elevated rescues are provided, used and maintained by the designated rescue employees;
 - (C) Train designated rescue employees so they are proficient in the use and maintenance of PPE and high angle rescue equipment needed to conduct elevated rescues; and
 - (D) Train designated rescue employees to perform assigned rescue duties to ensure that they become competent to perform such duties, including conducting simulated rescue operations at least once every 12 months.
- (3) Third-Party to Perform Rescue Procedures. An employer who designates a third-party rescue and emergency service to provide elevated (high angle) rescue and emergency services shall take the following measures:
 - (A) Obtain verification from the third-party rescue team or service that it is able to respond to a rescue summons in a timely manner;
 - (B) Obtain verification from the third-party rescue team or service that it is proficient with rescue-related tasks and equipment as they relate to rescuing climbers from elevated heights on communication structures;
 - (C) Select a rescue team or service from those evaluated that has verified it has the capability to reach the victim(s) and is equipped for and capable of performing the needed rescue services;
 - (D) Provide the selected rescue team or service with contact information regarding all towers/structures from which rescue may be necessary so that the rescue service can

develop appropriate rescue plans and practice rescue operations as it deems necessary;
and

- (E) Inform the selected rescue team or service, prior to the first day on which employee(s) perform work at heights over six feet on the tower, of the site and location of the tower(s) to be climbed; the hazard(s) identified on the site; the number of employees that will climb the tower(s); the height(s) at which employee(s) will be working; the name(s) and telephone number(s) for any employer contact(s); and, any other information that is requested by the rescue team or service.

(j) First Aid/CPR Training and Supplies. In addition to the requirements of 29 CFR 1910.151 and 29 CFR 1926.50, the employer shall ensure that at least two employees on site are trained and hold current certifications in basic first aid and cardiopulmonary resuscitation (CPR) issued by the American Red Cross or any other organization whose standards are equivalent to the American Red Cross; provided, however, where there are only two employees on site, then an employer may comply with the requirements of this Paragraph if one employee is trained and holds current certifications in basic first aid and CPR and one employee has been designated by the employer as a probationary employee and has been employed for less than six months.

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