Employers are responsible for determining the appropriate aerial lift to use, which type of fall protection systems are allowed by the manufacturer, and then provide their employees with the appropriate training and equipment based on the configuration of the manufacturer specifications for the specific piece of equipment.

In the past, the MIOSHA Construction Safety and Health Division had granted variances from Construction Standard [Part 32, Aerial Work Platforms](https://www.michigan.gov/leo/-/media/Project/Websites/leo/Documents/MIOSHA/Standards/Construction/CS_32/CS_32__09-17-2013.pdf?rev=6f95d00f01484a329b781b32e672bd42&hash=20BD001E43DFEE99CDCE212BB29D6D19) that allowed alternative methods to gain additional height in an elevating work platform. This is no longer the case as all previous variances for this type of work operation have been rescinded.

The following rules are now being applied and enforced without any active variances:

***Rule 3216 (3)***: The guardrail system of the platform shall not be used to support any of the following:

1. Materials.
2. Other work platforms.
3. Employees.

***Rule 3216 (4****)*: Employees shall maintain firm footing on the platform while working on the platform. The use of railings, planks, ladders, or any other devices on the platform for achieving additional height is prohibited.

Aerial work platform manufacturers have designed many new attachments and made significant changes to equipment that are now available to employers for accessing “hard to reach” areas. Variances for Rules 3216 (3) and 3216 (4) are no longer needed when using manufacturer-approved attachments and equipment, and while following the manufacturer’s restrictions, instructions, and warnings. To comply with Rule 3216 (1) all platforms shall be used in accordance with manufacturer operating instructions and safety rules.

Employers should contact the manufacturer to determine whether a scissor lift can withstand the vertical and lateral loads imposed in the event a fall occurs. Most scissor lifts are equipped with designated anchor points having a safety factor of 5000 pounds. However, even though an anchor point may be rated for a personal fall arrest system, the scissor lift may not. Not all manufacturers or owners allow fall restraint and/or a personal fall arrest system to be secured to these attachment points or other parts of the lift. Many scissor lifts are only rated for fall/travel restraint systems which may be capable of supporting only 1,000 pounds, which is significantly less than the 5,000-pound requirement for attaching a personal fall arrest system! Rules 3214 (1) and 3214(2) clarify safety harness use, specifically which lifts require fall protection equipment and when use of a restraint device is required.

Employers are encouraged to contact the MIOSHA Construction Safety and Health Division at 517-284-7680 if they have questions regarding jobsite health and safety or compliance issues. The MIOSHA Consultation Education and Training (CET) Division provides training and onsite audit services for residential and commercial builders at the employer’s request, free of charge. The CET Division can be contacted directly at [www.michigan.gov/cetrca](http://www.michigan.gov/cetrca), or at 517-284-7720.