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# MIOSHA

Michigan Occupational Safety and Health Administration (MIOSHA)  
Department of Labor and Economic Opportunity (LEO)

# AGENCY INSTRUCTION

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MIOSHA-STD-08-1R3

DATE:

December 8, 2021

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**SUBJECT: Personal Protective Equipment (PPE) Standards**

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- I. Purpose. This instruction establishes polices and provides clarifications to ensure uniform enforcement and interpretation of the three MIOSHA personal protective equipment (PPE) standards.
- II. Scope. This instruction applies agency-wide.
- III. References.
  - A. Agency Instruction MIOSHA-COM-15-2, [Horizontal or Vertical Standards – Determining Application](#), as amended.
  - B. American National Standards Institute (ANSI) Z87.1-1989 Occupational and Educational Eye and Face Protection.
  - C. American National Standards Institute (ANSI) Z87.1-2003 Occupational and Educational Personal Eye and Face Protection Devices.
  - D. American National Standards Institute (ANSI) Z87.1-2010 Occupational and Educational Personal Eye and Face Protection Devices.
  - E. American National Standards Institute (ANSI) Z-41-1999 American National Standard for Personal Protection—Protective Footwear.
  - F. American National Standards Institute (ANSI) Z89.1-2009 American National Standard for Industrial Head Protection.
  - G. American National Standards Institute (ANSI) Z89.1-2003 American National Standard for Industrial Head Protection.
  - H. American National Standards Institute (ANSI) Z89.1-1997 American National Standard for Personnel Protection—Protective Headwear for Industrial Workers – Requirements.
  - I. American Society for Testing and Materials (ASTM) F-2412-2005.
  - J. American Society for Testing and Materials (ASTM) F-2413-2005.
  - K. Construction Safety and Health Standard Part 1. /R408.40114 et seq., [General Rules](#).
  - L. Construction Safety and Health Standard Part 6. /R408.40601 et seq., [Personal Protective Equipment](#).
  - M. Construction Safety Standards Part 29. /R408.42901 et seq., [Communication Towers](#).
  - N. Construction Safety Standards Part 45. /R408.44501 et seq., [Fall Protection](#).

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- O. General Industry Safety and Health Standard Part 2. /R408.10201 et seq., [Walking-Working Surfaces](#).
  - P. General Industry Safety and Health Standard Part 33. /R408.13301 et seq., [Personal Protective Equipment](#).
  - Q. General Industry Safety and Health Standard Part 433. /R325.60001 et seq., [Personal Protective Equipment](#).
  - R. Michigan Occupational Safety and Health Act, R408.1001 et seq., [P.A. 154 of 1974](#), as amended.
  - S. [MIOSHA Field Operations Manual \(FOM\)](#), as amended.
  - T. OSHA, 29 CFR 1910, Subpart I, [Personal Protective Equipment](#).
  - U. OSHA, 29 CFR 1910.132, [General Requirements](#).
  - V. OSHA, 29 CFR 1910.133, [Eye and Face Protection](#).
  - W. OSHA, 29 CFR 1910.134, [Respiratory Protection](#).
  - X. OSHA, 29 CFR 1910.135, [Head Protection](#).
  - Y. OSHA, 29 CFR 1910.136, [Foot Protection](#).
  - Z. OSHA, 29 CFR 1910.137, [Electrical Protective Equipment](#).
  - AA. OSHA, 29 CFR 1910.138, [Hand Protection](#).
  - BB. OSHA, 29 CFR 1910.140, [Personal Fall Protection Systems](#).
  - CC. OSHA, 29 CFR 1926, Subpart C, [General Safety and Health Provisions](#).
  - DD. OSHA, 29 CFR 1926, Subpart E, [Personal Protective and Life Saving Equipment](#).
  - EE. OSHA, 29 CFR 1926.28, [Personal Protective Equipment](#).
  - FF. OSHA, 29 CFR 1926.95, [Criteria for Personal Protective Equipment](#).
  - GG. OSHA, 29 CFR 1926.96, [Occupational Foot Protection](#).
  - HH. OSHA, 29 CFR 1926.97, [Electrical Protective Equipment](#).
  - II. OSHA, 29 CFR 1926.100, [Head Protection](#).
  - JJ. OSHA, 29 CFR 1926.102, [Eye and Face Protection](#).
  - KK. OSHA, 29 CFR 1926.105, [Safety Nets](#).
  - LL. OSHA, 29 CFR 1926.106, [Working over or near Water](#).
  - MM. OSHA Directive CPL-02-01-050, [29 CFR Part 1910, Subpart I, Enforcement Guidance for Personal Protective Equipment in General Industry](#), February 10, 2011.
  - NN. OSHA Publication, OSHA 3151-12R 2004, [Personal Protective Equipment](#).
- IV. Distribution. MIOSHA Staff; Federal OSHA; S-drive Accessible; MIOSHA Messenger; and Internet Accessible.

- V. Cancellations. All previous versions of this agency instruction.
- VI. Next Review Date. This instruction will be reviewed in five years from date of issuance.
- VII. History. History of previous versions includes:
  - MIOSHA-STD-08-1R2, October 7, 2011
  - MIOSHA-STD-08-1R1, September 9, 2011
  - MIOSHA-STD-08-1, May 23, 2008
- VIII. Contact. [Barton G. Pickelman](#), Director
- IX. Originator. Barton G. Pickelman, Director
- X. Background. The Occupational Safety and Health Administration (OSHA) standards for Personal Protection Equipment (PPE) are contained in [Subpart I](#) of OSHA's general standards and [Subpart C](#) and [Subpart E](#) of OSHA's construction standards. The original standards were adopted in 1971 from established Federal standards and national consensus standards.

In developing a proposed revision of [Subpart I](#), [Subpart C](#), and [Subpart E](#), the agency performed a comprehensive review of the PPE standards. This review revealed several limitations and concerns with respect to the standards at the time. First, OSHA determined that many of the existing PPE standards were outdated because they reflected knowledge and practices regarding PPE as they existed in the late 1960s and early 1970s.

Also, OSHA had obtained injury data and technical reports that showed injuries were occurring to employees who were wearing PPE as well as to those employees who were not wearing PPE. This indicated that, in some cases, significant improvements in PPE design, acceptance, and proper use and maintenance were needed.

Based on these concerns, in 1994, OSHA developed revisions to the PPE standards. OSHA revised the general industry safety standards for eye and face protection ([1910.133](#)), head protection ([1910.135](#)), and foot protection ([1910.136](#)) by referencing the latest editions of the corresponding standards published by the American National Standards Institute (ANSI). For example, they now address filter lenses for protection against radiant energy. The provisions of existing [1910.134](#) covering respiratory protection were the subject of separate rulemaking actions and were not addressed in the revised standard.

The general requirements for PPE in general industry, as delineated in [1910.132](#), were revised by adding provisions that:

- A. Require employers to select appropriate PPE based on the hazards present or likely to be present in the workplace.
- B. Prohibit the use of defective or damaged PPE.
- C. Require that employees be trained so that each affected employee can properly use the assigned PPE.

Similar changes were made to the general requirements for PPE in construction, as found in [1926.28](#) and [1926.95](#).

To ensure that MIOSHA standards were equally as effective as the OSHA standards, MIOSHA revised or promulgated the following PPE standards:

- D. Construction Safety and Health Standard [Part 6](#). It is comprised of an adoption by reference of OSHA PPE standards for construction on general requirements ([1926.28](#)), electrical protective equipment ([1926.97](#)), head protection ([1926.100](#)), eye and face protection ([1926.102](#)), and safety nets ([1926.105](#)). It also includes Michigan rules for payment of personal protective equipment, foot and toe protection, hand and body protection, and fall protection, derived from the OSHA standards in construction on general requirements for personal protective equipment ([1926.28](#) and [1926.95](#)), occupational foot protection ([1926.96](#)), and working over or near water ([1926.106](#)), with some added requirements unique to Michigan.
- E. General Industry Safety and Health Standard [Part 33](#). It incorporates OSHA PPE standards for general industry on general requirements ([1910.132](#)), eye and face protection ([1910.133](#)), head protection ([1910.135](#)), foot protection ([1910.136](#)), electrical protective equipment ([1910.137](#)), hand protection ([1910.138](#)), and personal fall protection systems ([1910.140](#)) using Michigan rule numbers. It also includes Michigan-specific requirements for eye and face protection, head protection, foot and toe protection, and body protection.
- F. General Industry Safety and Health Standard Part [433](#). It is an adoption by reference of OSHA PPE standards for general industry on general requirements ([1910.132](#)), eye and face protection ([1910.133](#)), and hand protection ([1910.138](#)).

XI. Significant Changes.

- A. Removed references for ANSI Z87.1-1968. This ANSI standard version is no longer referenced in our standards.
- B. Added reference to American National Standards Institute (ANSI) Z87.1-2010 Occupational and Educational Personal Eye and Face Protection Devices.
- C. Added reference to American National Standards Institute (ANSI) Z-41-1999 American National Standard for Personal Protection—Protective Footwear.
- D. Added reference to American National Standards Institute (ANSI) Z89.1-2009 American National Standard for Industrial Head Protection.
- E. Added reference to American National Standards Institute (ANSI) Z89.1-2003 American National Standard for Industrial Head Protection.
- F. Added reference to American National Standards Institute (ANSI) Z89.1-1997 American National Standard for Personnel Protection—Protective Headwear for Industrial Workers – Requirements.
- G. Added reference to OSHA, 29 CFR 1910, Subpart I, [Personal Protective Equipment](#).
- H. Added reference to OSHA, 29 CFR 1910.132, [General Requirements](#).

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- I. Added reference to OSHA, 29 CFR 1910.133, [Eye and Face Protection](#).
- J. Added reference to OSHA, 29 CFR 1910.134, [Respiratory Protection](#).
- K. Added reference to OSHA, 29 CFR 1910.135, [Head Protection](#).
- L. Added reference to OSHA, 29 CFR 1910.136, [Foot Protection](#).
- M. Added reference to OSHA, 29 CFR 1910.137, [Electrical Protective Equipment](#).
- N. Added reference to OSHA, 29 CFR 1910.138, [Hand Protection](#).
- O. Added reference to OSHA, 29 CFR 1910.140, [Personal Fall Protection Systems](#).
- P. Added reference to OSHA, 29 CFR 1926, Subpart C, General Safety and Health Provisions.
- Q. Added reference to OSHA, 29 CFR 1926, Subpart E, Personal Protective and Life Saving Equipment.
- R. Added reference to OSHA, 29 CFR 1926.28, [Personal Protective Equipment](#).
- S. Added reference to OSHA, 29 CFR 1926.95, Criteria for Personal Protective Equipment.
- T. Added reference to OSHA, 29 CFR 1926.96, [Occupational Foot Protection](#).
- U. Added reference to OSHA, 29 CFR 1926.97, [Electrical Protective Equipment](#).
- V. Added reference to OSHA, 29 CFR 1926.100, [Head Protection](#).
- W. Added reference to OSHA, 29 CFR 1926.102, [Eye and Face Protection](#).
- X. Added reference to OSHA, 29 CFR 1926.105, [Safety Nets](#).
- Y. Added reference to OSHA, 29 CFR 1926.106, Working over or near Water.
- Z. Added reference to OSHA Publication, OSHA 3151-12R 2004, [Personal Protective Equipment](#).
- AA. Revised background to better describe the source of the PPE standards.
- BB. Clarified that PPE hazard assessments performed prior to the promulgation of the current PPE standards must meet the requirements of the current PPE standards.
- CC. Removed training certification requirement for general industry. This requirement is no longer included in the General Industry Safety and Health standards.
- DD. Removed references to rescinded MIOSHA-specific rules and appendices in [Part 433](#). This standard now is an adoption of federal OSHA rules [1910.132](#), [1910.133](#), and [1910.138](#).
- EE. Removed ANSI standard reference error in Construction Safety Part 6 as it has been corrected with recent rule changes.
- FF. Added general industry fall protection requirements in Part 2, Walking-Working Surfaces. Added Part 2, Walking-Working Surfaces to references.

- GG. Updated rule numbers throughout to reflect current numbers. All updates were from Michigan rules to adopted federal rules.
  - HH. Corrected the name of Construction Safety and Health standards 6, 29, 45 and General Industry Safety and Health Standard 433 throughout the document.
  - II. Separated the ANSI requirements for foot and toe protection for construction and general industry.
  - JJ. Added section on identifying and citing other MIOSHA standards with PPE requirements.
  - KK. Removed appendices listing rules with PPE requirements in other MIOSHA standards.
- XII. Inspection Guidelines.

The Safety Officer (SO) or Industrial Hygienist (IH) shall determine whether the employer has assessed the workplace to determine if hazards are present, or likely to be present, which necessitate the use of PPE. Inspections of workplaces subject to the PPE standards shall be conducted by the SO/IH in accordance with the [FOM](#). While the provisions in the three MIOSHA PPE standards are similar, the standards are not identical. Therefore, the SO/IH must identify which PPE standard applies and review the applicable rules. Within general industry, when a hazard is addressed in one PPE standard and not the other, the SO/IH may cross-cite the safety and health standards.

- A. PPE Hazard Assessment and Certification.
  - 1. Construction. The Construction Safety PPE Standard does not require a formal assessment or written certification.
  - 2. General Industry. The SO/IH shall verify that the employer has conducted a workplace hazard assessment, has selected equipment for eye, face, head, foot, and hand protection, and has a written certification that identifies the workplace evaluated, the person certifying that the evaluation has been performed, and the dates of the hazard assessment. The document must be identified as a certification of hazard assessment.  
  
Employers may rely upon a PPE assessment conducted prior to adoption of the current standards provided that the job conditions or PPE requirements have not changed and that the assessment meets the requirements of the current MIOSHA PPE standards.
  - 3. While evaluating the employer's PPE assessment, the SO/IH should remember that PPE is generally considered secondary protection and is not a replacement for compliance with other rules or standards or good engineering designs or practices. Eliminating a hazard, guarding to contain a hazard, or barriers to isolate a hazard may all mitigate or eliminate the need for PPE.
- B. The SO/IH shall determine if the employer has selected and is having each affected employee use the types of PPE that will protect the affected employee

from identified hazards, has communicated selection decisions to each affected employee, and has selected PPE that properly fits each affected employee.

C. The SO/IH shall assure that defective or damaged PPE is not in use.

D. Training Requirements.

1. General Industry. The SO/IH shall evaluate the employer's training programs to determine whether the programs meet the PPE standards requirements. The SO/IH shall determine whether the employer has trained each employee required to use eye and face protection, head, foot, and hand protection on the following:

- a) When and why PPE is necessary.
- b) What PPE is necessary.
- c) How to properly don, doff, adjust, and wear PPE.
- d) The limitations of the PPE.
- e) The proper care, maintenance, useful life, and disposal of the PPE.

An employer may rely upon training that a previous employer had provided an employee, or the knowledge and the ability to use PPE properly that an employee has gained through his or her prior experience, in determining if an employee has the requisite knowledge and skill.

The SO/IH shall determine whether each employee performs work requiring the use of PPE can demonstrate an understanding of the required training, and the ability to use PPE properly. Lack of an employee's knowledge in, or use of, assigned PPE would be indicative that the employee has not retained the requisite understanding or skill.

The SO/IH shall determine whether changes in the workplace or in the types of PPE used have made previous training obsolete.

2. Construction. The Construction Safety PPE Standard does not include a specific training requirement. Training is covered under [Part 1](#), General Rules, R408.40114, Employer Responsibilities; Accident Prevention Program.

E. Eye and Face Protection. Where such protection is necessary, SO/IHs shall verify whether employers provide their affected employees with eye and face protection as required. The employer must ensure that each affected employee uses protective eye and face wear that fits properly and protects against specific workplace hazards. In addition, the employer should ensure that the protective eye and face wear is comfortable, provides unrestricted vision and movement, is durable and clean, and provides unrestricted functioning of any other required PPE.

1. General Industry Safety and Health Standard - [Part 33](#), R 408.13311 – R 408.13369.

2. General Industry Safety and Health Standard - [Part 433](#), 1910.133.
3. Construction Safety and Health Standard- [Part 6](#), 1926.102.
4. Enforcement Interpretations.
  - a) Detachable side protectors (e.g., clip-on or slide-on side shields) meeting the pertinent requirements of these sections are acceptable.
  - b) The SO/IH shall assure that each employee who wears prescription lenses while engaged in operations that involve eye hazards is wearing eye protection that incorporates the prescription in its design, or protection that can be worn over the prescription lenses without disturbing the proper position of the prescriptive lenses.
  - c) ANSI Certification. For General Industry, protective eye and face devices purchased after July 5, 1994, shall comply with ANSI Z87.1-1989 or shall be demonstrated by the employer to be equally effective.
  - d) In general, the use of eye and face devices certified as meeting a more current version of the ANSI Z87.1 will typically be considered in compliance. The SO/IH shall assure that each affected employee using protective eyewear with filter lenses has eyewear with a shade number appropriate for the work being performed for protection from injurious light radiation. When goggle and helmet lenses are worn together, the shade value of the goggle and helmet lenses can be summed to satisfy the shade requirements.
  - e) Photochromic or auto-darkening lenses change from light to dark depending on the amount of ultraviolet light they are exposed to. Photochromic lenses are used in welding helmets and in safety glasses.
    - (1) Auto-darkening welding filter lenses meeting ANSI Z87.1-2003 requirements are marked with a “V” indicating photochromic lens. Example: Manufacturer “K” would have a welding lens marked “K Z87V.” The SO/IH shall not cite an employer if an employee is wearing auto-darkening welding filter lenses that meet ANSI Z87.1-2003.
    - (2) Auto-darkening lenses on safety glasses are not approved for indoor use unless their use does not create a hazard. If employees are using auto-darkening lenses outdoors or if their use indoors does not create an identifiable hazard, it is considered de minimis and no citation will be issued.



- f) Tinted, Colored, and Mirrored Lenses.
  - (1) The SO/IH shall assure that each affected employee using protective eyewear with tinted lenses has eyewear appropriate for the hazard(s) identified in the hazard assessment. Care should be exercised in conjunction with wearing such lenses for driving vehicles with tinted windshields or for night driving. Some polarized lenses may present viewing problems when reading liquid crystal displays. Some tinted lenses may absorb certain wavelengths of visual displays or signs, rendering them unreadable.
  - (2) Indoor/outdoor lens tints offer protection for indoor as well as outdoor work. These lenses do not change when walking in or out of direct sunlight.
  - (3) If an employee is wearing safety glasses that meet ANSI Z87.1-2003 with tinted lenses and the tint does not create an identifiable hazard, it is considered de minimis and no citation will be issued.
- g) Sewing Machine Operator Eye Protection. As part of the required workplace assessment, the employer must assess the PPE needs of sewing machine operators. The following guidelines will generally apply to eye protection for operators:
  - (1) If the sewing machine is not designed or guarded to contain a broken needle, eye protection will be required.
  - (2) Eye guards are usually made of clear plastic and should not be confused with needle guides or guards designed to protect the operator's finger. Properly mounted and adjusted, the eye guard will keep a broken needle from coming back at the operator.
  - (3) The SO/IH must consider the guard's shape (flat or curved), its location, and the operator's proximity to other machines when evaluating eye protection needs. If the operator is only exposed to a single machine, located directly in front of them, frontal protection may be all that is required.
  - (4) Protective eye and face devices must comply with ANSI Z87.1-1989, or the devices shall be demonstrated by the employer to be equally effective. If an employer is following a newer version of the ANSI standard, the employer will typically be considered in compliance.

F. Hand Protection.

1. General Industry Safety and Health Standard - [Part 33](#), R 408.13392 – 408.13393.
2. General Industry Safety and Health Standard - [Part 433](#), 1910.138.
3. Construction Safety and Health Standard - [Part 6](#), R 408.40626.
4. Enforcement Interpretations.

- a) The SO/IH shall assure that each affected employee is using gloves that are appropriate for the hazard(s) identified in the hazard assessment. Employees who have hand/skin exposure to metalworking fluids (MWFs) and additives may need to wear gloves to prevent the fluids from contacting their skin (especially when there are cuts or abrasions on the skin).

The SO/IH shall ensure that employees are protected from both point-of-operation hazards and exposure to hazardous MWFs or additives.

When an employee is exposed to hazardous MWFs and/or additives at a machine with moving parts, the SO/IH shall consider the following:

- (1) If the machine can be adequately guarded so that the employee can wear chemical resistant gloves.
  - (2) If the employer can change to a less hazardous MWF and/or additive.
  - (3) If the employer can engineer the job by providing a combination of guards, devices, and hand tools to eliminate glove contact with moving parts or skin contact with MWFs.
- b) The SO/IH shall assess glove permeation rates to determine glove effectiveness and change frequency.
  - c) Whenever gloves are required, the SO/IH shall ensure that gloves are available in appropriate sizes. Gloves that are too tight or too large can create ergonomic and other hazards.
  - d) The effectiveness of skin barrier creams is limited, and when used must be applied frequently.

- G. Head Protection. Hard hats or protective helmets shall resist penetration by objects, absorb the shock of a blow, be water-resistant, and have slow-burning properties. Manufacturers' instructions explaining proper adjustment and replacement of the suspension and headband should be followed. Employers shall replace protective helmets and their suspension systems when damaged or deteriorated, and at intervals specified by the manufacturer. For additional

information on head protection, see OSHA Publication [3151-12R-2004](#), Personal Protective Equipment.

Head protection must comply with ANSI Z89.1-1997 or shall be demonstrated by the employer to be equally effective. If an employer is following a newer version of the ANSI standard, the employer will typically be considered in compliance.

1. General Industry Safety and Health Standard - [Part 33](#), R 408.13370 – 408.13378.
2. Construction Safety and Health Standard - [Part 6](#), 1926.100.
3. Enforcement Interpretations.

Hard Hats – Religious Exemptions for Employees Belonging to the Old Order Amish or the Sikh Dharma Brotherhood. The Old Order Amish dress is a wide brimmed black felt hat or straw hat. The Sikh Dharma Brotherhood dress is to tie the hair in a Rishi knot on the crown of the head to be covered by a cotton cloth known as a turban whenever in public.

- a) Employers of persons belonging to the Old Order Amish or the Sikh Dharma Brotherhood will not be cited for a violation of the head protection equipment requirements if:
  - (1) The employee has informed their employer of their religious convictions.
  - (2) The employee has been instructed on the head hazards in their work area.
- b) A citation will normally be issued if the employee has not been instructed on the overhead hazards or is not wearing the traditional head covering as required by their religion.
- c) Exemptions only apply to Old Order Amish and the Sikh Dharma Brotherhood. At this time, we are not aware of any other religious order that would be affected by this policy.

H. Body Protection.

1. General Industry Safety and Health Standard - [Part 33](#), R 408.13394.
2. General Industry Safety and Health Standard - [Part 433](#), 1910.132(a).
3. Construction Safety and Health Standard - [Part 6](#), R 408.40626.
4. Enforcement Interpretations. Some body protection (e.g., cooling/ice vests, bulletproof vests, and cut-resistant sleeves) may appear to be PPE but are not covered by any standard. If there is a recognized serious health and safety hazard for which there is no specific standard, the hazard can be addressed through the General Duty Clause with body protection identified as one possible means of abatement. This is not to be interpreted

as a general requirement to provide body protection not covered by the PPE Standard.

I. Foot and/or Toe Protection.

1. General Industry Safety and Health Standard - [Part 33](#), R 408.13383 – R 408.13386. In general industry, employers must ensure that protective footwear complies with ANSI Z41-1999 or is equally effective. If an employer is following a newer version of the ANSI standard or the American Society for Testing and Materials (ASTM) F-2412-2005 and F-2413-2005, the employer will typically be considered in compliance.
2. Construction Safety and Health Standard - [Part 6](#), R 408.40625. Construction industry employers' protective footwear must comply with ANSI Z41-1991. If an employer is following a newer version of the ANSI standard or the American Society for Testing and Materials (ASTM) F-2412-2005 and F-2413-2005, the employer will typically be considered in compliance.
3. Enforcement Interpretations.
  - a) General industry employers must provide, at no cost to the employee, all forms of foot or toe protection, except for safety toe footwear (safety shoes). See [Appendix A](#) for more examples of safety shoes. The cost of standard safety shoes can be determined between the employer and the employee or as covered by a collective bargaining agreement. If specialized safety shoes are required, such as built-in metatarsal guards or non-conductive soles, the employer must provide at no cost to the employee.
  - b) When recommending a citation for protective footwear (foot protection or toe protection or both), you must provide the following information:
    - (1) Document the type and extent of hazard(s) to be protected against impact, electrical shock, puncture, laceration, chemical exposure, excessive heat, etc.
    - (2) Describe the type(s) of protection required.
    - (3) Document the areas, locations, or activities where the protection is required.
    - (4) Document any injuries or illnesses related to employees' feet.

J. Electrical Protection.

1. General Industry Safety and Health Standard - [Part 33](#), R 408.13387 – R 408.13389.
2. Construction Safety and Health Standard - [Part 6](#), 1926.97.

K. Fall Protection.

1. General Industry Safety and Health Standard -
  - a) [Part 33](#), R 408.13395a – R 408.13395g.
  - b) [Part 2](#), 1910.28 – 1910.29.
2. Construction Safety Standards – [Part 45](#), R 408.44501 and R 408.44502.
3. Enforcement Interpretations.
  - a) General Industry. The SO/IH shall propose a violation of General Industry Safety and Health Standard [Part 2](#), Walking Working Surfaces, for lack of fall protection when employees are exposed to a fall hazard four feet or greater when not covered by another standard. In certain circumstances, Part 2 allows for alternatives to fall protection, such as covers, guardrail systems, travel restraint systems, and safety net systems. .
  - b) Construction Safety. Use Construction Safety Standards [Part 29](#) for Communication Towers only. Refer to Construction Safety Standards [Part 45](#) for all other fall protection requirements.

L. Drowning Protection. Construction Safety and Health Standard - [Part 6](#), R 408.40636.

XIII. Additional Requirements of the PPE Standards.

A. Employer Obligation to Pay for PPE.

1. [Act 154](#), Section 11(d) establishes legislative authority to require employer payment for PPE.
2. The PPE standards delineate specific requirements regarding the employer’s obligation to provide PPE to employees.
3. The PPE standards require employers to provide and to pay for most PPE required by the employer for the worker to do his or her job safely and in compliance with MIOSHA standards. Where equipment is personal in nature and may be used by workers off the job, the matter of who pays for the PPE may be left to labor-management negotiations.

Examples of PPE that would not normally be used away from the worksites include, but are not limited to: welding gloves, wire mesh gloves, respirators, specialty glasses, and gloves (e.g., designated for laser or ultraviolet radiation protection), face shields, and rubber gloves.

An example of PPE that is personal in nature and often used away from the worksite is non-specialty prescription safety glasses. See [Appendix A](#) for more examples. Failure of the employer to pay for PPE that is not personal and not used away from the job is a violation and shall be cited.

4. The employer is not obligated to pay for normal everyday clothing even if used as PPE (e.g., long sleeved shirts or long pants used by an outdoor worker for protection against scratches or poison ivy).
5. MIOSHA does not require payment for such items as hair nets, beard covers, aprons, uniforms, and overalls used for cleanliness or sanitary purposes. However, other governmental agencies may have rules covering this type of equipment or clothing.
6. In those situations where workers provide their own PPE, the employer must assure the adequacy of such equipment including proper maintenance and sanitation of the equipment.
7. 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 it instead of the one 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.

B. Replacement of PPE.

1. The PPE standards require employers to pay for replacement PPE if necessary due to wear and tear on the previous equipment or if the equipment is lost due to the work environment. Replacement PPE must be provided before the employee is re-exposed to the hazard.
2. 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.
3. 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.
4. 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.
5. 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 must pay for replacement PPE if the employee no longer volunteers his or her own PPE for workplace use.

6. Collective bargaining or other employer/employee agreements may establish the process for replacement of PPE not due to wear and tear or loss due to the work environment.
7. Collective bargaining or other employer/employee agreements may establish the process for replacement of personal items such as prescription safety glasses or steel-toed shoes/work boots.

C. 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, unless specifically exempt from payment.

NOTE: Some substance-specific MIOSHA 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. The policies must ensure that employees receive replacement PPE at no cost to them as required by the rule.

D. Other PPE Guidance and Information.

1. Reflective Clothing. SO/IHs shall cite Section 11(a) of the MIOSH [Act](#), for failure to provide employees high visibility, reflective, or warning clothing or vests for any hazards identified, unless covered by a specific standard.
2. Flame Resistant (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, or as required by a specific standard.

XIV. Violations of PPE Requirements.

- A. When citing lack of PPE required by a standard and citing an inadequate PPE assessment, the violations shall generally be grouped.
- B. When multiple violations of PPE requirements are related to a single exposure, the violations shall generally be grouped.

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- C. When appropriate PPE is being used, but there is no written certification to verify that the hazard assessment was performed, the SO/IH will recommend an “other than serious” violation.
  - D. When an employer has not assessed an area (e.g., missed a portion of the workplace or a specific work operation), the SO/IH will recommend a violation for an incomplete assessment.
  - E. When the SO/IH disagrees with the findings of a PPE assessment, a violation will be recommended for the appropriate rule to address the lack of PPE and the improper assessment.
- XV. Other MIOSHA Standards with PPE Requirements. In addition to the three MIOSHA PPE standards, there are as many as 80 other MIOSHA safety and health standards with PPE requirements.
- A. When assessing an employee’s compliance with MIOSHA PPE requirements, the SO/IH will identify all the MIOSHA standards applicable to the industry, process, equipment, and task. The SO/IH will determine if any have PPE requirements relevant to the situation rather than limiting their assessment to only the three MIOSHA PPE standards.
  - B. The SO/IH will use the guidance on vertical and horizontal standards found at Agency Instruction MIOSHA-COM-15-2, [Horizontal or Vertical Standards – Determining Application](#) to determine whether the governing rules are in the three MIOSHA PPE standards, in the other MIOSHA standards with PPE requirements, or both.



## Appendix A

### PPE Payment

#### EXAMPLES OF PPE FOR WHICH EMPLOYER PAYMENT IS REQUIRED WHEN USED TO COMPLY WITH A MIOSHA STANDARD

(This list is not exhaustive.)

Source: OSHA Compliance Directive CPL-02-01-050, [29 CFR Part 1910, Subpart I, Enforcement Guidance for Personal Protective Equipment in General Industry](#)

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/bump caps.  
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:

- Payment is required if they are PPE, such as for protection from dermatitis, severe cuts/abrasions.
- Payment is not required if they are only for keeping clean or for cold weather (with no safety or health considerations).

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.

EXAMPLES OF FOOT PROTECTION IN GENERAL INDUSTRY FOR WHICH  
EMPLOYER PAYMENT IS REQUIRED WHEN USED TO COMPLY WITH A MIOSHA  
STANDARD (This list is not exhaustive.)

Metatarsal foot protection.  
Special boots for employees working logs.  
Rubber boots with steel toes.  
Shoe covers – toe caps and metatarsal guards.

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

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

Non-specialty safety-toe protective footwear (such as, steel-toe shoes/boots) (allowed to be worn off the job-site).  
Non-specialty prescription safety eyewear (allowed to be worn off the job-site).  
Sunglasses.  
Sturdy work shoes.  
Shoes or boots with built-in metatarsal protection that the employee has requested to use instead of the employer-provided detachable metatarsal guards.  
Non-specialty slip-resistant, non-safety-toe footwear.  
Lineman boots.  
Ordinary cold weather gear (coats, parkas, cold weather gloves, and winter boots).  
Logging boots (required by 1910.266(d)(1)(v)).  
Everyday work clothing.  
Ordinary clothing, skin creams, or other items used solely for protection from the weather.  
Ordinary rain gear.  
Back belts.  
Long-sleeve shirts.  
Long pants.  
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 and that are not used to comply with machine guarding requirements; plastic or rubber gloves worn solely to prevent food contamination during meal preparation. (This would *not* 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.