

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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**INITIAL STATEMENT OF REASONS**

CALIFORNIA CODE OF REGULATIONS

TITLE 8: Section 3273
of the General Industry Safety Orders

Working Area Catwalk Exception**SPECIFIC PURPOSE AND FACTUAL BASIS OF PROPOSED ACTION**

Board staff initiated the present rulemaking after becoming aware of the impractical nature of the requirements for working from a catwalk in the General Industry Safety Orders (GISO). Construction Safety Orders (CSO) Section 1637(a) allows an employee to work from attic joists in lieu of a more substantial surface (scaffold or ladder) when a plank or similar member at least 12-inches wide is placed across two or more joists; however, when a catwalk is required in the GISO, no such exception exists for workers in finished attics or other ceiling spaces. The current proposal will add an exception to the GISO regulations for catwalks, which is similar to the exception in the CSO regulations for scaffolding.

Although a recent Appeals Board ruling determined that cable TV and satellite installers are covered under Section 1637(a) in the CSO when installing equipment in an attic, other employers, such as electricians, HVAC technicians, and pest control personnel, have reason to enter an attic and perform work that is not covered by the CSO. Because work occurs in attics of homeowners where the installation of a catwalk is infeasible or impracticable, provisions to ensure employee safety are necessary to be added to the regulation.

This regulatory proposal is intended to provide worker safety at places of employment in California.

Section 3273. Working Area.

Section 3273 contains provisions for keeping floors, platforms, roadways, walkways, and storage areas clean, orderly and free of obstructions. The section also provides minimum widths and heights for elevated platforms, runways, ramps and catwalks. Additionally, requirements for protection from falling objects and guidelines for lowering objects from elevated work areas are present. Working space requirements around machines, including access space for performing repairs and maintenance, are also found in the section. Finally, the section requires that ditches,

pits, excavations, and surfaces in poor repair be barricaded or otherwise marked to alert employees in the area.

Subsection 3273(d), covering catwalks, requires that catwalks be no less than 18 inches wide and have at least 6 ½ feet of clear headroom. Two existing exceptions to the catwalk requirements state that 1) catwalks with less than 6 ½ feet of headroom are permissible if they are posted with warnings and have protective padding installed, and 2) bowling alleys can use catwalks as narrow as 8 inches wide near pin-setting machines, as long as a handrail or other structure is present on the sides. The proposed amendment will add a third exception allowing work in an attic or other ceiling space to be performed without the use of a catwalk provided that all of the following are observed:

- Ceiling joists or similar structural members are present at 2 feet or closer centers.
- Planks or solid platforms at least 12-inches wide are provided and supported by at least two ceiling joists or similar structural member.
- A qualified person has determined that the ceiling structure and any planks or platforms can bear all intended loads.
- Employees are supported by the planks or platforms at all times when in the attic or ceiling space.

The additional exception is necessary to prevent falls from elevation for employees working in a finished attic or ceiling space where the installation of a catwalk is infeasible or impracticable. The exception is similar to an exception found in the CSO, allowing it to be used in the GISO under similar circumstances.

Additionally, non-substantive changes are proposed to remove outdated references to Title 24 from the section.

TECHNICAL, THEORETICAL AND/OR EMPIRICAL STUDIES, REPORTS OR DOCUMENTS RELIED ON BY THE BOARD

1. Email transmission from Joel Foss, Senior Safety Engineer (Acting Principal Safety Engineer), Cal/OSHA Research and Standards Development Safety Unit, sent September 30, 2011, with the subject “Dish Network”.
2. Email transmission from Eric Berg, Principal Safety Engineer / Acting Deputy Chief, Cal/OSHA Research and Standards Occupational Safety Unit, sent May 4, 2015, with the subject “RE: 2015-BS-03”.

These documents are available for review Monday through Friday from 8:00 a.m. to 4:30 p.m. at the Standards Board Office located at 2520 Venture Oaks Way, Suite 350, Sacramento, California.

PETITION

This proposal was not the result of a petition.

ADVISORY COMMITTEE

This proposal was developed without the assistance of an advisory committee.

FIRE PREVENTION STATEMENT

This proposal does not include fire prevention or protection standards. Therefore, approval of the State Fire Marshal pursuant to Government Code Section 11359 or Health and Safety Code Section 18930(a)(9) is not required.

SPECIFIC TECHNOLOGY OR EQUIPMENT

This proposal will not mandate the use of specific technologies or equipment.

ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The proposed regulation will not have any effect on the (1) creation or elimination of California jobs or the (2) creation of new businesses or elimination of existing California businesses or (3) affect the expansion of existing California businesses, because the option of maintaining the status quo exists, no discernable economic impact is anticipated, and nothing in the proposal, therefore, is expected to adversely affect California businesses or individuals, including their ability to compete with businesses in other states. An employer utilizing the proposed catwalk exception would need to ensure that the worker has access to the planks to stand on and that a qualified person has determined that the joists or similar structural members can support the intended load, but these voluntarily incurred expenses are less expensive than installing a work platform or catwalk in accordance with current regulations and building codes.

BENEFITS OF THE PROPOSED ACTION

The proposal promotes worker safety by giving employers increased flexibility for guarding against falls from elevated work locations. Because of the limited work spaces in finished attics or other ceiling areas, the installation of a compliant work platform or catwalk is not always feasible or even practical, especially when the work is non-routine and of short duration. The proposed action will provide a safe alternative to the current requirements and harmonize the GISO requirements with those of the CSO, which allow a similar exception. The additional option and the harmonization of the safety orders will increase employer compliance, benefiting California by helping to ensure that family members return home safely from work each day. Home owners will be better protected from the trauma associated with a worker being injured by a fall from the attic or ceiling space where a sufficient workspace was not provided. No environmental impact is anticipated from the proposed action.

**EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY AFFECTING SMALL BUSINESSES**

The Board has determined that the proposed amendment may affect small businesses; however, no economic impact is anticipated. Currently, employees working on an elevated workspace must be provided with a workspace that is at least 24 inches wide, or if the work takes place on a catwalk, the catwalk must be at least 18 inches wide. The proposed amendment will allow for an exception to the catwalk requirements, under specific conditions, where an employer can provide a work platform in attics or other ceiling spaces made from planks, which are at least 12 inches in width.

**REASONABLE ALTERNATIVES TO THE PROPOSAL AND THE BOARD'S
REASONS FOR REJECTING THOSE ALTERNATIVES**

No reasonable alternatives have been identified by the Board or have otherwise been identified and brought to its attention that would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.