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(d) The employer is not required to pay for:

(1) Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots; or

(2) Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen.

(e) The employer must pay for replacement PPE, except when the employee has lost or intentionally damaged the PPE.

(f) Where an employee provides adequate protective equipment he or she owns, the employer may allow the employee to use it and is not required to reimburse the employee for that equipment. The employer shall not require an employee to provide or pay for his or her own PPE, unless the PPE is excepted by paragraphs (b) through (e) of this section.

(g) This section shall become effective on February 13, 2008. Employers must implement the PPE payment requirements no later than May 15, 2008.

NOTE TO § 1917.96: When the provisions of another OSHA standard specify whether or not the employer must pay for specific equipment, the payment provisions of that standard shall prevail.

[72 FR 64429, Nov. 15, 2007]

Subpart F—Terminal Facilities

§ 1917.111 Maintenance and load limits.

(a) The structural integrity of docks, piers, wharves, terminals and working surfaces shall be maintained.

(b) Maximum safe load limits, in pounds per square foot (kilograms per square meter), of floors elevated above ground level, and pier structures over the water shall be conspicuously posted in all cargo areas.

(c) Maximum safe load limits shall not be exceeded.

(d) All walking and working surfaces in the terminal area shall be maintained in good repair.

§ 1917.112 Guarding of edges.

(a) Vehicle protection. (1) Vehicle curbs, bull rails, or other effective barriers at least six inches (15.24 cm) in height shall be provided at the waterside edges of aprons and bulkheads, except where vehicles are prohibited. Curbs or bull rails installed after October 3, 1983, shall be at least 10 inches (25.4 cm) in height.

(2) The provisions of paragraph (a)(1) of this section also apply at the edge of any fixed level above the common floor area from which vehicles may fall, except at loading docks, platforms and skids where cargo is moved by vehicles.

(b) Employee protection. (1) Guardrails shall be provided at locations where employees are exposed to floor or wall openings or waterside edges, including bridges or gangway-like structures leading to pilings or vessel mooring or berthing installations, which present a hazard of falling more than 4 feet (1.22 m) or into the water, except as specified in paragraph (b)(2) of this section.

(2) Guardrails are not required:

(i) At loading platforms and docks;

(ii) At waterside edges used for cargo handling;

(iii) On the working sides of work platforms, skids or similar workplaces; or

(iv) On railroad rolling stock, highway vehicles, intermodal containers or similar equipment.

(3) Where guardrails are impracticable due to machinery requirements or work processes, an alternate means of protecting employees from falling, such as nets, shall be used.

(c) Criteria for guardrails. Guardrails shall meet the following criteria:

(1) They shall be capable of withstanding a force of at least 200 pounds (890 N) applied in any direction at mid-span of the top rail (when used), or at the uppermost point if there is no top rail.

(2) If not of solid baluster, grillwork, slatted or similar construction, guardrails shall consist of top rails and midrails. Midrails, when used, shall be positioned at approximately half the height of the top rail.

(3) The top surface of guardrails installed before October 3, 1983, shall be at least 36 inches (0.91 m) high. Those installed after October 3, 1983, shall be 42 inches (1.07 m), plus or minus 2 inches (5.1 cm), high.