

Personal Protective Equipment

Personal Protective Equipment for Public Employees in Massachusetts

Mass General Law Ch 149 §18E contains instructions for providing protection for employees when there is a hazard to the body, hands or feet.

Private employers: To comply with Personal Protective Equipment requirements, private employers working on public or private property must comply with OSHA 29 CFR 1910.132.

Public employers: Public employers must require appropriate gloves, safety glasses, goggles, footwear, hearing protection, hardhats and high visibility vest when a hazard exists.

Components of a Personal Protective Equipment Program include:

- Identify tasks at the workplace where an injury to body, hands or feet could occur.
- Identify corresponding gloves, safety glasses, goggles, hearing protection, that can reduce the risk for injury. See worksheet posted below.
- Communicate requirements to employees.
- Hold managers and employees accountable for providing and using protective equipment
- Train employees in proper use, inspection, cleaning and storage of protective equipment. Training must be provided at time of initial assignment to a task which requires protective equipment. Repeat training if there is a change in equipment or if injury patterns or other conditions indicate that refresher training is warranted.

Types of Personal Protective Equipment include:

- **Safety Glasses**: When there is a hazard from flying particulates. Sample tasks include but are not limited to: carpentry; landscaping; maintenance; metal working; woodworking.
- **Splash-proof Goggles**: When there is a hazard from corrosive or injurious dust or liquids. Sample tasks include but are not limited to: custodial; kitchen; maintenance; water treatment; and laboratory work.
- **Gloves**: When the employee's hands may contact injurious or corrosive dusts or liquids, sharp objects, or infectious materials. Sample tasks include but are not limited to: custodial; laboratory; kitchen; maintenance; highway; landscaping; and water treatment.
- **Hearing Protection**: When the employee is exposed to high noise levels, above 90 decibels over an 8-hour shift. Sample tasks include but are not limited to: landscaping; woodchipping; woodworking; water treatment; and firearms use.
- **Safety Shoes or Boots**: When employees' feet may be crushed by equipment, falling objects, or punctured by nails or other debris. Sample workplaces include construction and maintenance.
- **Respirators**: When chemical dust or vapors exist in harmful quantities, and when ventilation or other controls cannot reduce the air concentration to safer levels, respirators are required. Sample tasks include but are not limited to: laboratory; water treatment; rifle range cleaning; firefighting, sandblasting. See separate requirements for respirators.
- **High visibility, retro-reflective clothing**: when the employee works in the path of vehicle traffic. Sample tasks include but are not limited to: public works; sanitation; police; fire.

Enforcement:

Under MGL c. 149 s 6, the Department of Labor Standards can issue a civil penalty for each violation. Public employers who evaluate their workplaces for selection of Personal Protective Equipment and provide

equipment and training in compliance with OSHA 29 CFR 1910.132 will be considered to meet Massachusetts requirements for public employees.

Frequently Asked Questions:

FAQ 1: Can my employer require me to wear a reflective vest? Answer: Yes. Wearing high-visibility retro-reflective clothing is mandatory for job tasks in which the worker is located in a path of vehicle traffic. The vehicle traffic may be in a roadway, parking lot, depot, construction site, or other non-roadway location. The employer may also establish a dress code policy in which high visibility clothing is required, regardless of perceived hazard.

FAQ 2: Can my employer require me to wear pants instead of shorts? Answer: Yes. Industry safety standards require employers to identify hazards for job tasks at the workplace. Then appropriate protective clothing is selected according to the hazard. For example, safety glasses and pants are selected and required when using chainsaws or woodchippers because flying particulates and sharp objects are expected. The employer may also establish a dress code policy which requires pants to promote a professional appearance, regardless of safety conditions.

FAQ 3: Does my employer have to purchase protective footwear and safety glasses? Answer: In most cases, No. If footwear and/or safety glasses are required to be left on the jobsite and cannot be taken home then the employer is required to purchase those items required to stay on the jobsite. If the employer requires the footwear and/or safety glasses to have a specialty feature(s), such as fire resistance or special non-slip soles, then the employer must purchase the specialty items (this still applies even if the employer allows the items to be taken from the jobsite). Steel toe shoes or boots are not considered to be a speciality item.