

Fall Protection Stand-downs During a Pandemic

Kristin White, ASAC Health & Safety Chair | Fisher Phillips LLC

Fall protection in construction is one of the most cited OSHA standard across all industries, with fall protection training in construction being the eighth most cited. More importantly, falls constitute more than a third of construction deaths, dwarfing the next three causes combined. Outside of construction industries, falls remain a leading cause of citations and fatalities. Falls are the most dangerous hazard for American workers, which means that fall protection is the most important safety consideration for employers. Disappointingly, in late March this year the COVID-19 pandemic forced OSHA to postpone its Seventh Annual National Safety Stand-down to Prevent Falls.

Across the country, construction and much of general industry continues without pause through the pandemic; OSHA's national safety stand-down may be postponed, but employers cannot stop preventing falls. Although OSHA supplies a list of public safety stand-downs that people can attend, it also stresses that employers can conduct safety stand-downs at any time, using a toolbox talk or taking a work break. Copious amounts of information concerning fall protection is also available on [OSHA's website](https://www.osha-slc.gov), which provides employers with an easy place for stand-down guidance.

Part of your stand down should include reviewing applicable safety standards, which are numerous: construction employers should start with 29 C.F.R. 1926.501-503. Audit your fall protection program alongside these standards, focusing upon the types of falls that your duties present and considering related standards. Remember that fall hazards exist in unlikely situations, including not only at heights, but also when working above machinery or a floor hole.

Next, plan educational presentations or activities; educating employees to identify fall hazards that are not obvious is one of the best ways to keep employees safe. Reviewing past accidents where a fall hazard was hidden or not intuitive is a great way to make employees evaluate jobsites. They seem simple, but these concepts must be memorable to be effective. Spend as much time as necessary for employees to fully understand these concepts.

There is no time limit or minimum. A simple 15-minute toolbox talk can suffice. Employers that face frequent or varied fall hazards may stand down for hours. Include information about hazards, protective methods, safety policies and goals and expectations. Use hands-on exercises. Consider catering to visual, verbal, and hands-on learning styles. Before holding a stand-down, encourage or require employees to attend and participate.

Many workplaces require social distancing on jobs now, and the stand-down is a great way to bring people together during distancing. Contemplate small groups based upon your state or locality's guidelines or perhaps use different areas to conduct a stand down simultaneously across a worksite with multiple groups. Hold the stand down outside, where spacing is easier and virus transmission less likely. Videoconferencing is not ideal but could be incorporated to increase attendance from management and corporate workers. Keep people engaged by buying pizza or snacks, providing awards, or raffling prizes. A stand-down may seem dull or difficult during a pandemic, but planning and creative ideas can make it effective, safe, and fun.

Conducting a safety stand-down specifically educates employees about fall protection, but it also shows them that their employer cares. Culture is perhaps the most important element for maintaining a safe workplace, but also the most elusive. Difficult to describe or understand, culture is even harder to create and maintain. Now, when many workers may be numb to warnings about COVID-19, other kinds of hazards still exist. Do not let efforts to prevent them relax.

Fall hazards during a pandemic also have the benefit of being real and immediate. Young, healthy workers face little risk and may not know anyone that COVID-19 affected. But fall hazards are easy to see, and workers in every industry are victims of falls. Focusing on fall hazard now is a good way to get workers' attention and focus upon a safety issues that they can see, control, and prevent.

Authors: Kristin White and Ben Ross are attorneys with the law firm of Fisher Phillips LLP. Kristin and Ben practice is workplace health and safety working with clients throughout the country. Fisher Phillips is a national labor and employment law firm serving employers and is committed to providing the highest level of client service for every matter it handles. The firm has more than 430 attorneys in 37 offices, including a national workplace safety and catastrophe management practice to help with all OSHA, MSHA, crisis management and workplace safety needs.