



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
MARTHA B. YODER
DIRECTOR

STEVE ARWOOD
DIRECTOR

January 9, 2014

Mr. David Ensminger
SafePro L. P.
1357 N. Walton Walker
Dallas, TX 75211

Dear Mr. Ensminger:

Thank you for your inquiry about roof top safety. Below are responses to your questions.

The Michigan Occupational Safety and Health Administration (MIOSHA) enforces roof-top safety during non-construction work as the issue arises in a complaint inspection, random inspection, or other type of investigation. Some of the applicable regulations or law would be MIOSHA Part 2, Floor and Wall Openings, Stairways, and Skylights Standard; Part 33, Personal Protective Equipment; and the general duty clause of the Michigan Occupational Safety and Health Act.

You asked if we consider an open roof hatch an open hole as it applies to OSHA's 1910.23 and if we would write a violation. MIOSHA considers an unguarded, open roof hatch an open hole and a violation of Part 2, Rule 215(2). Please note that MIOSHA's Part 2 is almost identical to the Occupational Safety and Health Administration's (OSHA) 29 CFR 1910.23, Guarding Floor and Wall Openings and Holes Standard so OSHA's letters of interpretations for floor openings are applicable to MIOSHA as well.

You inquired if we are more concerned with unprotected roof edges than with an open roof hatch. MIOSHA is concerned with any exposure that may cause injury to an employee.

You asked what is considered a safe distance from the edge that is not protected. MIOSHA rules do not specify a safe distance for general industry work. As a guideline, fall protection and standard barriers are not enforced if employees do not come within six (6) feet of the roof's edge. Part 33 requires fall protection in the absence of a parapet or perimeter guardrail. Part 33 is used if the roof is more than 25 feet above the ground or adjacent surface. If the work is 25 feet or less above the ground or adjacent surface, the lack of fall protection is cited under the general duty clause.

More information on roof top safety can be found in CET Publication #0171, General Industry Threshold Heights Requiring Fall Prevention/Protection and a variety of other fall protection publications, which can be accessed under the A to Z Topic Index link at

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www.michigan.gov/miosha under the heading Fall Protection. You can also find MIOSHA standards at www.michigan.gov/mioshastandards.

I hope this letter provides you the required information. Please contact us at 517-322-1831 if you have additional questions.

Sincerely,

A handwritten signature in black ink that reads "A. Rocskay". The signature is written in a cursive style.

Adrian Z. Rocskay, Ph.D., CIH
Division Director

AZR:SM:lrh

cc: Martha B. Yoder, Director
Barton G. Pickelman, Deputy Director