

**North Carolina Department of Labor
Occupational Safety and Health Division**

Raleigh, North Carolina

Field Information System

Standards Notice 78

Subject: Pump Jack Scaffold System – Workbench Used as a Toprail

A. Standards.

1. 29 CFR 1926 Subpart L – Scaffolds.
2. 29 CFR 1926.451 – General requirements.
3. 29 CFR 1926.451(g)(4)(ii), (vii), (viii), and (xiii) – Fall protection, Guardrail systems.
4. 29 CFR 1926.452(j)(3) – Pump jack scaffolds, Guardrails.

B. Discussion.

This Standards Notice was created to provide additional clarification on when the use of workbenches as top rails on pump jack scaffolds is acceptable within the OSHA standards.

Previously, OSHA published a Pump Jack/Ladder Jack Scaffold Photo Compliance Guide (dated March 1998) on their website. Among other things, the guide contained a photograph of a pump jack scaffold where there was no midrail installed and the workbench was used as both midrail and toprail. The guide also contained language indicating that there was “no violation” and that “no midrail is needed because the gap between platforms is 23 inches. The workbench can serve as a toprail because the vertical distance from the platform is 23 inches + 4 inch thick platform + 12 inch horizontal plank width = 39 inches.” While this guide was still active on OSHA’s website, the OSH Division referenced the guide along with the requirements under the applicable OSHA standards in communication with employers. Additionally, the OSH Division provided written correspondences to one employer regarding a specific situation on this issue, which may have become accessible to other employers in the industry.

OSHA published a standard letter of interpretation (LOI), dated May 24, 2011, where this matter was discussed and clarified. In this LOI, the customer asked if the width of the workbench on a pump jack scaffold could be used to achieve the correct vertical height for a toprail to comply with the OSHA guardrail requirements for pump jack scaffolds. In their LOI, OSHA stated that the workbench width cannot be added to the workbench height to determine an overall height and confirms the applicability of 29 CFR 1926.452(j) regarding the use of workbench as toprail only if it meets all the requirements contained in paragraphs (ii), (vii), (viii), and (xiii) of § 1926.451. In the LOI, OSHA stated that the Pump Jack/Ladder Jack Scaffold Photo Compliance Guide (dated March 1998) had been removed from their official website. OSHA also indicated that State Plans OSHA programs would be made aware of the removal from the website.

As a State Plan, the OSH Division adopts and enforces occupational safety and health standards that are either identical to or at least as effective as Federal OSHA. Upon being made aware of OSHA’s position, the OSH Division removed any references to OSHA’s Pump Jack/Ladder Jack Scaffold Photo Compliance Guide (dated March 1998) and confirmed applicability of the OSHA standards in these situations. Consistent with those actions, the position expressed in this Standards Notice supersedes any previous communication issued by NCDOL regarding conditions that might have been observed at a specific job or worksite.

C. **Interpretation.**

Employers using or allowing the use of pump jack scaffolds on their jobsites/worksites are required to comply with the current OSHA standards adopted for use in NC. In regard to using workbenches as top rails, these standards include, but are not limited to the following:

29 CFR 1926.452(j)(3) - When guardrails are used for fall protection, a workbench may be used as the top rail only if it meets all the requirements in paragraphs (g)(4) (ii), (vii), (viii), and (xiii) of § 1926.451.

29 CFR 1926.451(g)(4)(ii) - The top edge height of top rails or equivalent member on supported scaffolds manufactured or placed in service after January 1, 2000, shall be installed between 38 inches (0.97 m) and 45 inches (1.2 m) above the platform surface. The top edge height on supported scaffolds manufactured and placed in service before January 1, 2000, and on all suspended scaffolds where both a guardrail and a personal fall arrest system are required shall be between 36 inches (0.9 m) and 45 inches (1.2 m). When conditions warrant, the height of the top edge may exceed the 45-inch height, provided the guardrail system meets all other criteria of paragraph (g)(4).

29 CFR 1926.451(g)(4)(vii) - Each top rail or equivalent member of a guardrail system shall be capable of withstanding, without failure, a force applied in any downward or horizontal direction at any point along its top edge of at least 100 pounds (445 n) for guardrail systems installed on single-point adjustable suspension scaffolds or two-point adjustable suspension scaffolds, and at least 200 pounds (890 n) for guardrail systems installed on all other scaffolds.

29 CFR 1926.451(g)(4)(viii) - When the loads specified in paragraph (g)(4)(vii) of this section are applied in a downward direction, the top edge shall not drop below the height above the platform surface that is prescribed in paragraph (g)(4)(ii) of this section.

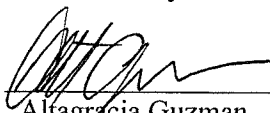
29 CFR 1926.451(g)(4)(xiii) - Steel or plastic banding shall not be used as a top rail or midrail.

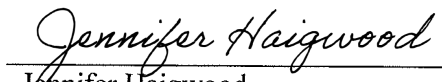
D. **Inspection Guidance.**

Compliance Safety and Health Officers will ensure employers covered by these OSHA standards are meeting or exceeding the requirements set forth under 29 CFR 1926 Subpart L - Scaffolds, including but not limited to: § 1926.451 - General requirements, § 1926.451(g)(4), paragraphs (ii), (vii), (viii), and (xiii) – Fall Protection, Guardrails systems, as well as § 1926.452(j)(3) – Additional requirements applicable to specific types of scaffolds; Pump jack scaffolds (guardrails).

E. **Effective Date.**

This Standards Notice is effective on the date of signature. It will remain in effect until revised or canceled by the Director.


Altagracia Guzman
Safety Standards Officer


Jennifer Haigwood
OSH Director

12/13/2022
Date of Signature