



How will OSHA's new final rule stating that employers must pay for most personal protective equipment affect U.S. workplaces?

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For most large and medium-sized businesses the impact of the final OSHA rule regarding Employer Payment for Personal Protective Equipment (PPE) is likely to be minimal, since general industry is already supplying PPE for employees and has been doing so for many years.

However, smaller businesses -- especially those with part-time, short-term, temporary or seasonal workforces -- which have not paid for PPE in the past, may be affected by this ruling. These include construction, shipyards, longshoring, marine terminals and agriculture, which often rely on transient workforces.

There are large segments of the workforce that could potentially be covered by the new ruling and, more importantly, their workplaces will be subject to OSHA inspection, which acts as an additional incentive to compliance.

The challenge will be reaching many of the smaller employers affected by the new ruling. These groups are less likely to attend safety trade shows or have safety representatives on staff. As a result, the transition for some of these companies may be more difficult. OSHA acknowledged this in its final rule by stating that “OSHA agrees that training aids are needed to help employers, and most especially smaller employers, with a variety of PPE issues, and the Agency has various resources and materials available to help provide PPE information.”

While some employers may view the new OSHA regulations as an additional cost in a competitive business environment, the safety benefits for employees justify the expenditures, especially with regard to low-income workers. As OSHA points out: “The evidence suggests that lower wage employees are less likely to purchase adequate PPE and replace it when necessary, and are more likely to make cosmetic repairs, hide defects, purchase used PPE aged beyond its service life, or fail to keep the PPE in proper working order...OSHA also believes that employees will be more inclined to use PPE if it is provided to them at no cost.”

In short, the new rule puts an even greater emphasis on the importance of PPE, which in turn drives home the importance of safety in the workplace. This should lead to greater compliance with PPE protocols as well as help to build stronger safety programs throughout a wide range of industries. Ideally, the end result will be a stronger, safer workforce overall.

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