



Reply to the attention of:

December 16, 2014

MEMORANDUM FOR:

REGIONAL ADMINISTRATORS

FROM:

*Dorothy Dougherty*  
DOROTHY DOUGHERTY  
DEPUTY ASSISTANT SECRETARY  
*Thomas Galassi*  
THOMAS GALASSI  
DIRECTOR, DIRECTORATE OF  
ENFORCEMENT PROGRAMS

*James Maddux*  
JAMES MADDUX  
DIRECTOR, DIRECTORATE OF  
CONSTRUCTION

SUBJECT:

Temporary citation policy for  
29 C.F.R. 1910.137(b) and 1910.269; and  
29 C.F.R. 1926.97 and Subpart V

The purpose of this memorandum is to establish a temporary enforcement policy for 29 C.F.R. 1910.137(b) and 1910.269; and 29 C.F.R. 1926.97(b) and Subpart V. On June 20, 2014, OSHA issued a temporary citation policy stating that it would accept compliance with the prior version of 29 C.F.R. 1910.269 (i.e., the version of that standard that was in effect on April 11, 2014) as compliance with the current versions of 29 C.F.R. 1910.269 and 29 C.F.R. 1926, Subpart V, through October 31, 2014. The temporary policy also provided for a delay in the enforcement of paragraph (b) of revised 29 C.F.R. 1910.137 and paragraph (b) of 29 C.F.R. 1926.97 until October 31, 2014. A memorandum dated October 28, 2014, continued that citation policy until December 31, 2014. This memorandum continues the temporary citation policy for an additional forty-eight days. All policy and instructions contained in the June 20, 2014, memorandum will continue in effect until February 17, 2015.

Please share this information with the State Plans and On-Site Consultation Projects in your Region. If you have questions regarding application of this memorandum in general industry, please contact Sherman Williamson in DEP. And if you have questions related to application of this memorandum in construction, please contact Dean McKenzie in DOC.