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COMMISSIONER

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ASSISTANT DEPUTY COMMISSIONER  
OCCUPATIONAL SAFETY AND HEALTH DIVISION

**MEMO**

**To:** OSH Division  
**From:** Scott Mabry, Assistant Deputy Commissioner   
**Date:** April 24, 2017  
**Re:** Enforcement Guidance for the Walking-Working Surfaces Standard, 29 CFR 1910, Subpart D

On November 18, 2016, the Occupational Safety and Health Administration (OSHA) published a final rule revising and updating its general industry standards on walking-working surfaces to prevent and reduce workplace slips, trips, and falls, as well as other injuries and fatalities associated with walking-working surface hazards. The final rule includes revised and new provisions addressing, for example, fixed ladders; rope descent systems; fall protection systems and criteria, including personal fall protection systems; and training on fall hazards and fall protection systems. In addition, the final rule adds requirements on the design, performance, and use of personal fall protection systems. See 81 FR 82494 (Nov. 18, 2016) for details.

The Occupational Safety and Health (OSH) Division of the North Carolina Department of Labor plans to adopt the final rule, verbatim, with a May 1, 2017 effective date. While the May 1, 2017 effective date covers most provisions, the final rule includes several delayed compliance dates, which are listed in the chart below. Please note: consistent with OSHA's four-month delay of the training provisions under 29 CFR 1910.30(a) and (b), OSH will likewise delay enforcement of these provisions until September 1, 2017.

Final Subpart D Section and Requirement	North Carolina Compliance Date
1910.27(b)(1) – Certification of anchorages	November 20, 2017
1910.28(b)(9)(i)(A) – Deadline by which employers must equip existing fixed ladders with a cage, well, ladder safety system, or personal fall arrest system	November 19, 2018
1910.28(b)(9)(i)(B) – Deadline by which employers must begin equipping new fixed ladders with a ladder safety system or personal fall arrest system	November 19, 2018
1910.28(b)(9)(i)(D) – Deadline by which all fixed ladders must be equipped with a ladder safety system or personal fall arrest system	November 18, 2036
1910.30(1) and (b) – Deadline by which employer must train employees on fall and equipment hazards	September 1, 2017

For inspections open prior to May 1, 2017, the previous version of the 29 CFR 1910, Subpart D – Walking-Working Surfaces standards will be cited. Abatements consistent with the previous or new versions of 29 CFR 1910, Subpart D will be accepted.

For inspections opened on or after May 1, 2017, the newly revised 29 CFR 1910, Subpart D – Walking-Working Surfaces standards will be cited. Provisions with delayed compliance dates may only be cited if the inspection is open on or after the respective compliance date.