

Districts must provide and pay for personal protective equipment



reimburse employees for time spent shopping for PPE or for travel expenses related to PPE shopping.

The new rule may impact existing collective bargaining agreements. Under New Jersey labor law, all issues regarding workplace health and safety, including payment for PPE, are mandatory subjects of bargaining. Local associations should discuss any affected language in their contracts with their UniServ field reps.

District obligations

Districts have many obligations concerning PPE under Public Employees Occupational Safety and Health (PEOSH) standards. Districts must:

- Observe staff working to assess hazards that may require PPE.
- Become familiar with the type of protective equipment that is available.
- Compare the hazards with the capabilities of the available protective equipment.
- Select the protective equipment which ensures a level of protection greater than the minimum required to protect employees from the hazards.
- Fit the user with the protective device.
- Give careful consideration to comfort and fit.
- Adjust devices with adjustable features.
- Train the user properly.
- Reassess the hazard situation as necessary.
- Inspect, clean, and maintain PPE.
- Dispose of contaminated PPE.

PPE Limitations

Protective equipment, while a useful additional safeguard in some hazardous jobs, is the least effective method for overall worker protection. This is because:

- PPE does not eliminate the hazard.
- If the PPE is inadequate or fails, the worker is not protected.

- No PPE is foolproof. For example, respirators leak and hard hats protect against only small falling objects.

- PPE is often uncomfortable and places a physical burden on a worker. For example, using a respirator can strain the heart and lungs, chemical-resistant clothing can cause workers to overheat, and gloves can make hands clumsy.

Warning! The local association should never allow PPE to be the entire safety program. Although PPE can be effective for some jobs and some situations, locals should bargain for permanent control measures. Associations should always be pushing the employer to fix problems so that PPE isn't needed.

Payment exceptions under the PEOSH rule

Districts are not required to pay for some PPE in some circumstances:

- Non-specialty safety-toe protective footwear (including steel-toe shoes or boots) and non-specialty prescription safety eyewear, provided that the district permits such items to be worn off the job site.
- Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots.
- Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen.
- Items such as hair nets and gloves worn by food workers for consumer safety. Districts are required to supply these under public health regulations.
- Lifting belts because their value in protecting the back is questionable.
- When the employee has lost or intentionally damaged the PPE and it must be replaced.
- Where an employee provides adequate protective equipment he or she owns, the district may allow the employee to use it and is not required to reimburse the employee for that equipment. The employee's use of PPE they own must be completely voluntary.

Personal protective equipment (PPE) can prove important after other methods to protect school staff from safety hazards have been exhausted. When properly selected, fitted, maintained, and used, PPE can limit the danger to staff exposed to hazards.

PPE includes equipment that protects a part of the body from sparks, flying or falling objects, chemical splashes, bodily fluid splashes, dust, or noise; provides visibility or fall protection; or protects from inhalation of dust, fumes, or vapors.

Examples of school staff that may need PPE in order to perform their jobs safely are given in the sidebar.

Districts must pay for protective gear

On July 21, 2008, a new Public Employees Occupational Safety and Health (PEOSH) rule regarding public employer payment for PPE went into effect. With a few exceptions, PEOSH now requires public employers to pay for personal protective equipment used to comply with PEOSH standards.

Districts may choose different options for PPE purchase and distribution including employer purchase and distribution, allowances, vouchers, and reimbursement. Employers are not required to

School staff who may need PPE:

- Science teachers may need splash goggles, face shields, and chemical-resistant gloves, aprons, and clothing working around chemicals.
- School bus drivers may need chemical resistant gloves to pump diesel fuel.
- School nurses/paraprofessionals may need aprons and gloves to avoid exposure to blood-borne pathogens in body fluid.
- Teachers/paraprofessionals may need reflective vests while directing traffic.
- Teachers/paraprofessionals may need aprons and gloves while working with physically disabled students requiring toileting, diapering and cleaning up.
- Food service workers may need insulated mitts when handling hot objects.

Custodians/maintenance personnel may need:

- Respirators when working around asbestos, lead, solvents
- Safety glasses and ear plugs or muffs while mowing, weed-whacking, and leaf-blowing
- Safety goggles and chemical resistant gloves while using toilet cleaners, oven cleaner, and other harsh chemicals
- Rubber electrical insulating gloves and shoes when working with high voltage
- Hard hats when there is a danger of falling objects
- Bump caps when there is a danger of bumping overhead obstacles.

Vo-tech teachers may need:

- Welding helmets, eye protection, leather sleeves and gloves when welding or brazing
- Safety glasses when using woodworking or metalworking machinery
- Art teachers may need respirators and safety goggles while spray painting and safety glasses and face shields when chiseling or grinding.

For More Information:

PEOSH Standards on PPE

- 1910.132: General requirements and payment
- 1910.133: Eye and face protection
- 1910.134: Respiratory protection
- 1910.135: Head protection
- 1910.136: Foot protection
- 1910.137: Electrical protective devices
- 1910.138: Hand protection.

There are also PPE requirements in many standards on specific hazards such as 1910.1030: Bloodborne pathogens and 1910.146: Permit-required confined spaces.

Texts of these standards are online. Go to www.osha.gov. On the right side of the homepage, under "Laws and Regulations", click on "Standards". Click on "Part 1910". Then click on the desired standard.