



ORANGE COUNTY SCAFFOLD, Inc. RECEIVED

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Division of Occupational Safety & Health
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CONTRACTORS LIC. NO. 290438
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Eric Berg
Division of Occupational and Safety and Health – Research and Standards
1515 Clay Street, Suite 1901
Oakland, Ca 94612

RE: Section 1637(n) Access (2)(A)5. Response

Dear Mr. Berg,

After reviewing your response, we are left with more questions and do not agree with your conclusion. In your response to our question, you stated that “The work platform of scaffolds are not part of or in-line with the ladder and do not constitute a rest platform of the ladder. Accessing work platforms of scaffold from ladders would require employees to get off of the ladder and climb through or over guardrails onto the scaffold platform.”

Per Article 21 section 1637 General Requirements (n) access. (A)1. Manufactured hook on and attachable ladder shall be securely attached to the scaffold and: shall be specifically designed for the scaffold used. Per this regulation the completed hook on attachable ladder is a part of the completed scaffold because it is attached to the scaffold via clamps, specifically designed for the ladder and the scaffold, making the ladder and the scaffold one unit. Nowhere in the regulation is there any mention of the ladder or platform being “in line” with each other.

The rest platform, that you speak of, would also require guard railing per Section 1621. Railings and Toeboards (a) Unless otherwise protected, railings as set forth in Section 1620 shall be provided along all unprotected and open sides, edges and ends of all built-up scaffolds, runways, ramps, rolling scaffolds, elevated platforms, surfaces, wall openings, or other elevations 7½’ or more above the ground, floor, or level underneath. This would create the same hazard which you mentioned of having to climb through or over guard rails onto the rest platform.

We do agree that climbing over guard rails onto a platform, be it a rest platform, or scaffold platform, could present a fall hazard. To remedy this, we at Orange County Scaffold, Inc have incorporated the use of automatic swing gates at all platforms that are accessed by the ladder. This has proven to be effective and safe, as it prevents the need to climb over guard rails and provides proper fall protection once the swing gate closes behind the person accessing the ladder or exiting the ladder.

In reality, a platform built solely for the purpose of “rest platform” would be constructed of the same scaffold materials as the scaffold itself. There would be no benefit in regards to safety in having a scaffold with platforms every 6’ 8” and another scaffold with “rest platforms” built with identical materials on the other side of the ladder. We believe the intent of the regulation is to provide workers with a safe means of exiting the ladder to rest, without having to climb more than 35’ vertically at any time. Per Article 2 Definitions: a platform is an elevated working area or surface used for supporting workers, materials and equipment. Whether it be used a rest platform, or work platform, as long as they have a means of easily and safely stepping off of the ladder onto a safe/guard railed platform where they can rest. We also believe the use of automatic swing gates which provide direct access from a ladder to a platform without having to climb over or through guard railing satisfies the spirit of Subsection 1637(n)(2)(A)5.

Please reconsider your response and/or provide additional clarifications as to what constitutes a “ladder rest platform”.

Respectfully
ORANGE COUNTY SCAFFOLD, INC.

A handwritten signature in blue ink, appearing to read "Mike X. Aphessetche".

Mike X. Aphessetche
Vice President