

DEPARTMENT OF INDUSTRIAL RELATIONS  
DIVISION OF OCCUPATIONAL SAFETY AND HEALTH  
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*Juliann Sum, Chief*

October 24, 2018

Mike X. Aphessetche  
Vice President  
Orange County Scaffold  
121 E. Meats Avenue  
Orange, CA 92865

Dear Mr. Aphessetche:

I write in response to your inquiry of February 1, 2018 to the Division of Occupational Safety and Health regarding title 8 section 1637(n)(2)(A)5. requirements for rest platforms on manufactured hook-on and attachable ladders for supported scaffolds.

Title 8 section 1637(n)(2)(A)5. requires the following:

§1637. General Requirements.

\* \* \* \* \*

(n)(2)(A)5. When hook-on and attachable ladders are used on a supported scaffold more than 35 feet (10.7 m) high, they shall have rest platforms at 35-foot (10.7 m) maximum vertical intervals.

\* \* \* \* \*

In a previous letter (dated January 17, 2018), I wrote that scaffold platforms could not be used as rest platforms for scaffold ladders because employees on ladders would have to climb through or over guardrails to access scaffold platforms. Climbing through or over guardrails when moving between a scaffold ladder and a scaffold platform exposes workers to dangerous falls.

You disagreed with my conclusion and stated that scaffold platforms can be safely accessed from ladders through a swing gate. You provided a video showing a scaffold with a swing gate where employees do not have to climb over or through guardrails when moving between a ladder and a scaffold platform<sup>1</sup>.

I agree that scaffold platforms equipped with swing gates are acceptable to use as rest platforms for scaffold ladders if the swing gates provide safe access between ladders and scaffold platforms and if the following requirements are met:

- The swing gates close automatically and do not swing past their uprights (sections 1620 and 1621).

<sup>1</sup> Link to video:

<https://drive.google.com/file/d/1488zq8DbkZfebo4siVBmUhXQ0eD4cK77/view?invite=CKqyugoJ&ts=5a7f07a9>

- The swing gates are installed, maintained, and used according to their manufacturer's recommendations (section 3328).
- The design and construction of the swing gates meet the requirements of standard railings (sections 1620 and 1644)<sup>2</sup>.
- Employees are made aware of the presence of the swing gates and are appropriately trained in their use (section 1509).
- Ladders are securely attached to the scaffold to prevent any ladder movement when employees move between the ladder and the scaffold platform through a swing gate (section 1637(n)(2)(A)).

Feel free to contact me if you have any further questions.

Sincerely,

A handwritten signature in blue ink that reads "Eric Berg". The signature is written in a cursive style with a long, sweeping tail on the letter "g".

Eric Berg, Deputy Chief  
Research & Standards

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<sup>2</sup> The midrail of the swinging gate in the video discussed does not appear to be half way between the top rail and scaffold platform as required by sections 1620 and 1644.