



Trade in Your Hard Hat for a Safety Helmet: OSHA Looks to Set an Example on Job Site Headgear

The Occupational Safety and Health Administration (OSHA) issued a Trade Release on December 11, 2023, announcing that its employees will now wear safety helmets instead of hard hats on inspection sites. This follows a November 22, 2023, OSHA Safety and Health Information Bulletin (November 22 SHIB) titled 'Head Protection: Safety Helmets in the Workplace,' in which OSHA recommended as follows: 'When head protection is needed, employers should consider using safety helmets instead of traditional hard hats so that employees are best protected against occupational head injuries.' As such, it appears that OSHA is seeking to set an example for the construction industry of the type of headgear it recommends should be worn in situations where safety concerns are particularly high.

The November 22 SHIB listed the following types of work, locations, and situations under its 'recommended uses for safety helmets:'

- Construction Sites
- Oil and Gas Industry
- · Working from Heights
- Electrical Work
- High-Temperature Environments
- Specialized Work Environments
 - Such as those requiring integrated face shields or hearing protection
- Specific Regulatory Requirements
 - Situations in which regulations or industry standards specifically require safety helmets to be worn
- Low-Risk Environments
 - This appears to have been included to suggest that wearing a safety helmet even in less dangerous settings is a best practice

As is clear from this list, OSHA recommends using safety helmets in virtually every environment where hard hats alone have traditionally been worn.

What is the Difference?

OSHA explains that safety helmets offer superior protection to hard hats because they lower the risk of severe head trauma and provide improvements to enhance worker safety. This is because hard hats are made up of rigid materials such as high-density polyethylene that only provide a basic level of protection and trap heat inside because they lack vents. Additionally, hard hats traditionally have minimal side impact protection and do not have chin straps. On the other hand, safety helmets incorporate lightweight composites, advanced thermoplastics, and fiberglass that protect the entire head. These materials enhance impact resistance and are more light weight. Additionally, safety helmets include a chin strap, which helps to keep the safety helmet in place in the event of an incident.

Why a Safety Helmet?

While the safety benefits of making this change outlined above and OSHA issuing its recommendation are reasons enough to make the switch, OSHA notes that "[a]ccording to the Bureau of Labor Statistics, in 2020, head injuries accounted for 5.8% of nonfatal occupational injuries involving days away from work." The use of safety helmets should help reduce that percentage.



Lawrence M. Prosen

Membe

Iprosen@cozen.com Phone: (202) 304-1449 Fax: (202) 861-1905

Related Practice Areas

- Construction Law
- Government Contracts

Industry Sectors

• Real Estate & Construction

There are also significant benefits to using a safety helmet from a usefulness perspective, as safety helmets can incorporate goggles or face shields to protect against safety concerns such as chemicals, projectiles, or dust. Safety helmets also can incorporate built-in communication systems and hearing protection.

Conclusion

While the November 22 SHIB is not a regulation or standard and it creates no legal obligation, contractors should consider its guidance and take steps to best protect their own workers and anyone else that comes on their job sites. Safety helmets provide not only increased protection from head/brain injuries but also opportunities to protect from eye, ear, face, and respiratory protection through incorporation of safety helmet accessories. Contractors would do well to follow the OSHA's lead by requiring their own employees to always wear safety helmets on job sites or in any of the other situations recommended by OSHA.