



AMERICAN SOCIETY OF
SAFETY PROFESSIONALS

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**AMERICAN SOCIETY OF SAFETY PROFESSIONALS [ASSP]
STATEMENTS ADDRESSING THE PROPOSED OSHA WALKING-WORKING SURFACES
RULE
FIXED LADDERS AND FALL PROTECTION REQUIREMENTS**

Thom Kramer, Senior Vice President, ASSP

Greetings:

My name is Thom Kramer, and I serve as Senior Vice President of the American Society of Safety Professionals, or ASSP. I am also a professional engineer and certified safety professional with more than 30 years of experience assessing, designing and implementing fall protection systems. Throughout my career, I have focused on reducing risks for employees working at height, and I previously served five years as chair of the ASSP Z359 Fall Protection Committee.

I appreciate the opportunity to testify today on behalf of ASSP.

Founded in 1911, ASSP is the world's oldest professional safety organization and represents more than 36,000 occupational safety and health professionals working across every major industry. As an ANSI-accredited standards developer, our members have partnered with industry, labor, government agencies and other stakeholders for more than a century to advance workplace safety through sound scientific research, practical implementation and voluntary consensus standards.

ASSP has long supported OSHA's mission to protect workers and has consistently participated in the Agency's rulemaking process by providing technical comments based on the expertise of our members and the work of our standards committees. We appreciate OSHA's continued commitment to preventing falls, one of the leading causes of workplace serious injuries and fatalities, and welcome the opportunity to provide technical input as the Agency evaluates this proposal.

In our view, this proposal raises two central questions.

First, should OSHA eliminate the existing compliance deadline requiring personal fall arrest systems or ladder safety systems on fixed ladders extending more than 24 feet above a lower level?

Second, should OSHA once again permit employers to rely on ladder cages or wells in place of modern fall protection systems?

The technical analysis supporting our comments points to a clear conclusion. OSHA's existing requirements reflect decades of advances in fall protection technology and the development of voluntary



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consensus standards. Together, those advances have resulted in systems that provide workers with a higher level of protection than legacy approaches such as ladder cages or wells.

In our view, the answer to both questions is no.

Based on the expertise of our members and the technical analysis prepared by the ASSP Z359 Fall Protection Committee, ASSP recommends that OSHA retain its existing fixed ladder fall protection requirements. This recommendation is based on research studies, expertise and experience of committee members and observations and analysis of drop tests performed in the laboratory along with limited video evidence of falls in the field.

Our written comments provide additional detail and include the technical analysis prepared by the ASSP Z359 Fall Protection Committee. Rather than repeat every point from that submission today, we'd like to highlight several technical considerations we believe are especially important as OSHA evaluates this proposal.

Thank you. We appreciate the opportunity to share ASSP's perspective with you today. I'd now like to turn things over to Dan Henn, Chair of the ASSP Z359 Fall Protection Committee, to discuss the technical basis for our recommendations.





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Dan Henn, Chair, ASSP Z359 Committee For Fall Protection and Related Systems

Greetings:

My name is Dan Henn, and I serve as Chair of the ASSP Z359 Fall Protection Committee, a role I have held since 2023. Thank you for the opportunity to present the committee's technical perspective on OSHA's proposal. While Thom's experience and expertise is on the design and analysis of active fall protection systems, my experience and expertise focuses on the design, manufacturing and testing of many types of fall protection products and equipment which organizations purchase every day. Together, Thom and I bring complementary perspectives on fall protection, and our recommendations are further strengthened by the expertise and experience of the committee members who contributed to this work.

The ASSP Z359 Committee develops the American National Standards addressing fall protection and fall restraint. Our committee includes engineers, safety professionals, manufacturers, users, consultants, testing laboratories, government representatives and other technical experts who work together through a balanced consensus process to develop standards that help protect workers.

As Thom mentioned, OSHA's proposal raises two important questions. From the committee's technical review, I'd like to address each one.

First, should OSHA eliminate the existing compliance deadline for fixed ladder fall protection systems?

From the committee's perspective, the existing compliance deadline remains an important part of OSHA's rule because it reflects the transition to more effective fall protection technologies that have been available for decades and widely used. In our view, the 20-year compliance period has provided employers with a substantial amount of time to make that transition.

The current requirements reflect decades of advances in fall protection technology, industry practice and voluntary consensus standards. They were adopted because modern ladder safety systems and personal fall arrest systems provide a higher level of worker protection than older approaches, most notably cages. Removing the deadline would slow the continued adoption of those systems without improving worker safety. For that reason, we believe the existing compliance deadline should remain in place.





Second, should ladder cages or wells once again be considered an acceptable substitute for modern fall protection systems?

From the committee's perspective, ladder cages and wells should not be reinstated as an acceptable substitute for modern fall protection systems. Based on decades of experience developing fall protection standards, along with our review of the available research and incident data, we concluded that doing so would reduce, rather than maintain, the level of worker protection provided by the current rule.

Our analysis also considered the continued risk presented by fixed ladders. While portable ladders account for many fall incidents, fixed ladders continue to cause serious injuries and fatalities. Our review of OSHA's accident database identified hundreds of incidents involving fixed ladders over the past two decades, reinforcing that effective fall protection remains an important occupational safety issue.

The engineering principles underlying these systems are fundamentally different. Unlike modern fall protection systems, a ladder cage is not designed to arrest a fall in a controlled manner. If it interrupts a fall at all, it does so when a worker's body strikes the cage itself, potentially resulting in significant injury while providing no predictable or controlled means of fall arrest. During my extensive testing experience, I have seen the violence of an uncontrolled fall impact for a variety of reasons and the results produced in the test laboratory are shocking. We often incorporate these drop test simulations in training environments to viscerally demonstrate the seriousness of the impact, suspension and other effects. If it would be helpful as OSHA continues evaluating this proposal, the committee would be pleased to provide additional information regarding the testing and demonstrations that informed our technical analysis.

By comparison, ladder safety systems and personal fall arrest systems are specifically engineered, tested and evaluated to defined performance criteria. They are intended to safely arrest falls while limiting the forces experienced by the worker. That distinction is fundamental to the committee's recommendation and is reflected throughout the ANSI/ASSP Z359 standards. Again, I would encourage you to view these demonstrations if you haven't already or haven't done so recently.

Our analysis also considered the available peer-reviewed and government-sponsored research cited in our written comments. That research consistently concluded that ladder cages do not provide protection equivalent to ladder safety systems. Workers rarely become safely retained within a cage during a fall, rescue can become more difficult if they do, and personal fall arrest and ladder safety systems provide substantially greater protection during the types of falls commonly associated with fatigue, missteps or medical events.

Taken together, the engineering principles, available research and practical experience consistently support the same conclusion. Personal fall arrest systems and ladder safety systems are the preferred means of protecting workers climbing fixed ladders whenever safer alternatives, such as stairs or





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intermediate landing platforms, are not feasible. These systems are commercially available, widely used throughout industry and, based on user feedback received by the committee, are often preferred because they are familiar, practical and effective.

Finally, our review considered the cost information cited in support of the proposal. Based on the practical experience of committee members and real-world engineering and field installations, we believe those estimates are substantially higher than the costs typically encountered in the field. While actual costs vary depending on the engineering and installation, we encouraged OSHA to consider additional cost information, including available government contract data, to better understand the costs associated with these systems.

Based on the committee's technical expertise, practical experience and decades of standards development, we believe OSHA's existing requirements continue to represent the appropriate level of protection for workers climbing fixed ladders. The committee's goals align with OSHA's mission to protect workers, and our recommendation reflects that shared objective. If OSHA determines changes to the rule are appropriate, we believe those changes should focus on using risk assessments to improve the safe design and installation of ladder safety systems rather than reducing the level of worker protection currently provided by the regulation. We believe maintaining the current requirements best supports that shared goal while continuing the progress made in fall protection over the past several decades.

Thank you for the opportunity to present the committee's perspective. Thom and I would be happy to answer any questions.

