

When Are Seat Belts Required To Be Worn On Forklift Trucks?

The regulation covering powered industrial vehicles, 29 CFR 1910.178, which includes forklifts does not specifically address this issue. The answer can be found in compliance directive CPL 2-1.28A "Compliance Assistance for the Powered Industrial Truck Operator Training Standard" dated 11/30/2000. Appendix B of the directive says, "OSHA's enforcement policy relative to the use of seat belts on powered industrial trucks is that employers are obligated to require operators of powered industrial trucks which are equipped with operator restraint devices or seat belts to use the devices. OSHA should enforce the use of such devices under Section 5(a)(1) of the OSH Act." The policy continues with the following statement, "OSHA may also cite Section 5(a)(1) of the OSH Act if an employer has not taken advantage of a manufacturer operator restraint system or seat belt retrofit program." Section 5(a)(1) of the Occupational Safety and Health Act (OSH Act) is the "General Duty Clause" which says employers "shall furnish to each of his employees employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to his employees."