



**DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION**

Date: February 11, 2025

To: Nevada Businesses

Re: Final Rule on Personal Protective Equipment in Construction

On February 7, 2025, Nevada OSHA identically adopted Federal OSHA's [Final Rule on Personal Protective Equipment \(PPE\) in Construction](#), which went into effect on January 13, 2025. In this final rule, OSHA is amending the requirements pursuant to [29 CFR 1926.95](#) to explicitly state that PPE required in construction must fit properly (i.e., PPE that is of appropriate size to provide an employee with the necessary protection from hazards, that do not create additional hazards due to equipment being either too big or small).

The amendment will align the language in the PPE standards in construction to be consistent with the language that currently exists in the PPE standards for general industry.

Specifically, OSHA is revising 29 CFR 1926.95(c), requiring employers to ensure all PPE is:

1. Of safe design and construction for the work to be performed; and
2. Selected to ensure that it properly fits each affected employee.

The main goal of the amendment is to clarify employers' existing obligations with respect to proper fitting PPE, which is a critical element of an effective occupational safety and health program and is required to provide employees with appropriate protection from workplace hazards resulting in serious physical injury or death. Absent proper fitting PPE may result in failure to provide any protection, creating additional hazards, discouraging employees from using such equipment in the workplace.

The amendment will provide benefit to the demographic of women in the construction industry, who may require PPE at sizes smaller than what currently exists in the market. In addition, men who are over certain weight limits prescribed by PPE manufacturers (i.e. Equipment such as harnesses, etc.)

Assistance Available from Nevada Safety Consultation and Training Section (SCATS)

SCATS is here to help. SCATS is focused on keeping Nevadans safe and healthy while on the job. SCATS offers resources for employers and employees alike, from training to consultation to safety program review. If your business has questions or needs onsite training or consultation, please submit a request by calling 877-472-3368 or submitting a consultation request at <https://www.4safenv.state.nv.us/contact/>.

How to File a Complaint

Employees who feel they have been exposed to a hazardous condition in the workplace, have the right to raise their concerns with their employer or to file a complaint with Nevada OSHA. Such a complaint may trigger an inspection of the workplace. An employee who raises concerns with their employer or files an OSHA complaint is protected against retaliation or discrimination for having done so by NRS 618.445 and section 11(c) of the federal Occupational Safety and Health Act, Pub. L. 91-596, 84 Stat. 1590. If an employee files a complaint with Nevada OSHA, their name and contact information will be held as confidential information pursuant to NRS 618.341(3)(a).

To file a complaint, please visit <https://www.osha.gov/workers/file-complaint> or call Nevada OSHA at (702) 486-9020 (southern Nevada) or (775) 688-3700 (northern Nevada).

References

- [Final Rule on Personal Protective Equipment in Construction](#)
- [29 CFR 1926.95 – Criteria for Personal Protective Equipment](#)