



MEMORANDUM

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To: Bureau EHS Directors
From: Persis D. Luke *PDL*
Date: January 18, 2012
Re: Clarification Regarding Headwear Requirements for Traffic Work Zone Flaggers

The DEP Traffic Work Zone Policy (Rev. 0) has several references (sections 5.4.1 and 5.5) which state, in essence, that all employees who are either working in various work zone set ups (section 5.4.1) or in the capacity of a flagger (section 5.5) are required to wear reflective vests and **hard hats**.

Research on all applicable OSHA standards, the Manual on Uniform Traffic Control Devices (MUTCD) and ANSI/ISEA 107-2010 indicate that hard hats are not a requirement. The ANSI/ISEA 107-2010 and the NYS DOT Flagger's Handbook both include language related to "headwear" and describes headwear as an "important accessory and complements the overall visibility of the wearer. High visibility headwear enhances visibility to the head of a moving worker in daylight and helps define the shape of a human form during nighttime exposure. Headwear includes, but is not limited to "ball caps and knit caps."

Selection of work PPE and safety apparel should be informed by work conditions, job hazard and subsequent PPE assessments. Hard hats are only one type of headwear that may be selected by Bureaus to increase worker visibility. A substitute may be required as appropriate by Bureau EHS based on their job hazard assessments.

Effective immediately, and until such a time that the traffic Work Zone Safety Policy is revised to include this clarification, the hard hat requirement is waived. However, waiving the requirement places the responsibility on the Bureau to assess hazards for DEP employees in traffic work zones based on job tasks and work activities and make appropriate recommendations and/or requirements related to headwear.

This memo will be superseded by next DEP Traffic Work Zone Safety Policy Revision (Rev. 1). Please contact me if you have any questions.

c. G. McCoy M. Sherer J. Roberts
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