



# AMERICAN NATIONAL STANDARD

*ANSI/ASSE A10.38 – 2013  
Basic Elements of an Employer's  
Program to Provide a Safe and  
Healthful Work Environment*

*American National Standard  
for Construction and  
Demolition Operations*

ANSI/ASSE A10.38 – 2013



AMERICAN SOCIETY OF  
SAFETY ENGINEERS

The information and materials contained in this publication have been developed from sources believed to be reliable. However, the American Society of Safety Engineers (ASSE) as secretariat of the ANSI accredited A10 Committee or individual committee members accept no legal responsibility for the correctness or completeness of this material or its application to specific factual situations. By publication of this standard, ASSE or the A10 Committee does not ensure that adherence to these recommendations will protect the safety or health of any persons, or preserve property.

**ANSI®**  
**ANSI/ASSE A10.38 – 2013**

**American National Standard  
Construction and Demolition Operations**

**Basic Elements of an Employer's Program to  
Provide a Safe and Healthful Work Environment**

Secretariat

**American Society of Safety Engineers**  
1800 East Oakton Street  
Des Plaines, Illinois 60018-2187

**Approved March 5, 2013**

**American National Standards Institute, Inc.**

## **American National Standard**

Approval of an American National Standard requires verification by ANSI that the requirements for due process, consensus, and other criteria for approval have been met by the standards developer. Consensus is established when, in the judgment of the ANSI Board of Standards Review, substantial agreement has been reached by directly and materially affected interests. Substantial agreement means much more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that a concerted effort be made toward their resolution. The use of American National Standards is completely voluntary; their existence does not in any respect preclude anyone, whether he/she has approved the standards or not, from manufacturing, marketing, purchasing, or using products, processes, or procedures not conforming to the standards. The American National Standards Institute does not develop standards and will in no circumstance give an interpretation of any American National Standard. Moreover, no person shall have the right or authority to issue an interpretation of an American National Standard in the name of the American National Standards Institute. Requests for interpretation should be addressed to the secretariat or sponsor whose name appears on the title page of this standard.

Caution Notice: This American National Standard may be revised or withdrawn at any time. The procedures of the American National Standards Institute require that action be taken periodically to reaffirm, revise, or withdraw this standard. Purchasers of American National Standards may receive current information on all standards by calling or writing the American National Standards Institute.

Published May 2013 by

**American Society of Safety Engineers**  
**1800 East Oakton Street**  
**Des Plaines, Illinois 60018-2187**  
**(847) 699-2929 • [www.asse.org](http://www.asse.org)**

Copyright ©2013 by American Society of Safety Engineers  
All Rights Reserved.

No part of this publication may be reproduced  
in any form, in an electronic retrieval system or  
otherwise, without the prior written permission  
of the publisher.

Printed in the United States of America

## Foreword (This Foreword is not a part of American National Standard A10.38-2013.)

This standard is one of a series of safety standards that have been formulated by the Accredited Standards Committee on Safety in Construction and Demolition Operations, A10. It is expected that the standards in the A10 series will find a major application in industry, serving as a guide to contractors, labor and equipment manufacturers. For the convenience of users, a list of existing and proposed standards in the A10 series for Safety Requirements in Construction and Demolition Operations follows.

- A10.1 Pre-Project & Pre-Task Safety & Health Planning
- A10.2 Safety, Health and Environmental Training (under development)
- A10.3 Powder-Actuated Fastening Systems
- A10.4 Personnel Hoists and Employee Elevators
- A10.5 Material Hoists
- A10.6 Demolition Operations
- A10.7 Transportation, Storage, Handling and Use of Commercial Explosives and Blasting Agents
- A10.8 Scaffolding
- A10.9 Concrete and Masonry Construction
- A10.10 Temporary and Portable Space Heating Devices
- A10.11 Personnel and Debris Nets
- A10.12 Excavation
- A10.13 Steel Erection
- A10.15 Dredging
- A10.16 Tunnels, Shafts and Caissons
- A10.17 Safe Operating Practices for Hot Mix Asphalt (HMA) Construction
- A10.18 Temporary Roof and Floor Holes, Wall Openings, Stairways and Other Unprotected Edges
- A10.19 Pile Installation and Extraction Operations
- A10.20 Ceramic Tile, Terrazzo, and Marble Work
- A10.21 Safe Construction and Demolition of Wind Generation/Turbine Facilities (under development)
- A10.22 Rope-Guided and Non-Guided Workers' Hoists
- A10.23 Safety Requirements for the Installation of Drilled Shafts (under development)
- A10.24 Roofing – Safety Requirements for Low-Sloped Roofs
- A10.25 Sanitation in Construction
- A10.26 Emergency Procedures for Construction Sites
- A10.27 Hot Mix Asphalt Facilities
- A10.28 Work Platforms Suspended from Cranes or Derricks
- A10.29 Aerial Platforms in Construction (under development)
- A10.31 Digger-Derricks
- A10.32 Personal Fall Protection Used in Construction and Demolition Operations
- A10.33 Safety and Health Program Requirements for Multi-Employer Projects
- A10.34 Public Protection
- A10.37 Debris Nets
- A10.38 Basic Elements of a Program to Provide a Safe and Healthful Work Environment
- A10.39 Construction Safety and Health Audit Program
- A10.40 Reduction of Musculoskeletal Problems in Construction
- A10.41 Equipment Operator and Supervisor Qualifications and Responsibilities (under development)
- A10.42 Rigging Qualifications and Responsibilities in the Construction Industry
- A10.43 Confined Spaces in Construction (under development)
- A10.44 Lockout/Tagout in Construction
- A10.46 Hearing Loss Prevention
- A10.47 Highway Construction Safety

A10.48 Communication Tower Erection (under development)

A10.49 Control of Health Hazards (under development)

One purpose of these standards is to serve as guides to governmental authorities having jurisdiction over subjects within the scope of the A10 Committee standards. If these standards are adopted for governmental use, the reference of other national codes or standards in individual volumes may be changed to refer to the corresponding regulations.

*Revisions:* The A10 Committee welcomes proposals for revisions to this standard. Revisions are made to the standard periodically (usually five years from the date of the standard) to incorporate changes that appear necessary or desirable, as demonstrated by experience gained from the application of the standard. Proposals should be as specific as possible, citing the relevant section number(s), the proposed wording and the reason for the proposal. Pertinent documentation would enable the A10 Committee to process the changes in a more-timely manner.

*Interpretations:* Upon a request in writing to the Secretariat, the A10 Committee will render an interpretation of any requirement of the standard. The request for interpretation should be clear, citing the relevant section number(s) and phrased as a request for a clarification of a specific requirement. Oral interpretations are not provided.

*No one but the A10 Committee (through the A10 Secretariat) is authorized to provide any interpretation of this standard.*

*Approval:* Neither the A10 Committee nor American National Standards Institute (ANSI) approves, certifies, rates or endorses any item, construction, proprietary device or activity.

*Appendices:* Appendices are included in most standards to provide the user with additional information related to the subject of the standard. Appendices are not part of the approved standard.

*Checklists:* Checklists included in A10 standards may be copied and used in non-commercial settings only.

*Committee Meetings:* The A10 Committee meets twice per year. Persons wishing to attend a meeting should contact the Secretariat for information.

*Standard Approval:* This standard was processed and approved for submittal to ANSI by the American National Standards Committee on Safety in Construction and Demolition Operations, A10. Approval of the standard does not necessarily imply (nor is it required) that all Committee members voted for its approval. At the time ANSI approved this standard, the A10 Committee had the following members:

Richard King, CSP, Chair  
 James Tomaseski, Vice Chair  
 Timothy R. Fisher, CSP, CHMM, ARM, CPEA, Secretary  
 Jennie Dalesandro, Administrative Technical Support

Organization Represented	Name of Representative
Accident Prevention Corporation	Frank Burg, CSP, P.E. Michael Serpe, CSP
Aegis Corporation	Judith Burkart
Alstom Power	Robert Renney Ted P. Sharp
American Insurance Services Group	Thad Nosal
ASCE - Construction Institute Committee	James G. Borchardt, CSP, CPE, CRIS William R. Nash, P.E.
American Society of Safety Engineers	Harlan Fair Ken Shorter, CSP, ARM, TCDS
American Wind Energy Association	A. David Brayton, CSP, CPC
American Work Platform Training, Inc.	Michele Myers Mihelic
Associated Builders and Contractors, Inc.	Dennis W. Eckstine Ralph Riley
Associated General Contractors of America, The	Chris Williams Charlie Bird
Association of Union Constructors, The	Kevin Cannon Wayne Creasap, II
A-Z Safety Resources, Inc.	Rusty Brown, CSP
Barton-Malow Company	Jane F. Williams, CPEA, CCA Mark Klimbal, CSP, ARM
Black & Veatch	Clayton Shafer Richard F. King, CSP
Bovis Lend Lease	John H. Johnson, CSP Joel C. Pickering
Building & Construction Trades Department	Michael Lentz Pete Stafford
CPWR - Center for Construction Research & Training	Jim Platner, Ph.D., CIH Chris Trahan, CIH
Capital Safety Group	Pete Stafford Scott C. Casebolt
Clark Construction Group	J. Thomas Wolner, P.E. Tim Sirofchuck, CSP
Cole-Preferred Safety Consulting, Inc.	Kurt Dunmire
Philip L. Colleran	Barry Cole
Construction & Realty Safety Group, Inc.	Philip L. Colleran, CSP Ron Lattanzio
ECI Safety Services Co.	Frank Marino Anthony Merisola
Edison Electric Institute	Patrick Brennan, CSHM, CSSM R. Lee Reed, Jr.
E. I. Dupont de Nemours & Company	Charles Kelly Gary Birchall
Elevator Industry Preservation Fund	Ronald Probasco, CSP Garry Kosinski
Ellis Fall Safety Solutions	Michael D. Morand J. Nigel Ellis, Ph.D., P.E., CSP, CPE John Whitty, P.E.

Gilbane Building Co.	Anthony O'Dea, CSP, CHST
Richard D. Hislop	Charles Praul, Jr., CSP
Independent Electrical Contractors, Inc.	Richard Hislop
Institute of Makers of Explosives	Shawn Bradfield
Insulators International Union	John P. Masarick
International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers	Bob Baird
International Brotherhood of Boilermakers	Lon D. Santis
International Brotherhood of Electrical Workers	Susan JP Flanagan
International Brotherhood of Teamsters	Terry Lynch
International Safety Equipment Association	Jim E. Lapping, MS, P.E., CSP
International Union of Bricklayers & Allied Craftworkers	Steven Rank
International Union of Operating Engineers	Robert Migliaccio, Sr.
Jack L. Mickle & Associates	Brian Loftus
Laborers' International Union of North America	Bridget Connors
Marsh USA, Inc.	James Tomaseski
Maryland Occupational Safety & Health	LaMont Byrd, CIH
Mechanical Contractors Association of America	Julie Plavka, CIH
National Association of Home Builders	Cristine Fargo
National Association of Railroad Safety Consultants & Investigators	Michael Kassman, CHST
National Electrical Contractors Association	Gerard Scarano
National Institute for Occupational Safety & Health	Barbara McCabe
National Railroad Contractors & Maintenance Association	Steve Brown
National Roofing Contractors Association	Jack Mickle, Ph.D., P.E.
National Society of Professional Engineers	Steve Stock, P.E., PLS
Operative Plasterers and Cement Masons International Association	Scott Schneider, MS, CIH
Daniel M. Paine	Walter A. Jones, MS, CIH
Phoenix Fabricators and Erectors, Inc.	Timothy Bergeron, CSP
Powder Actuated Tool Manufacturer's Institute	Mischelle Vanreusel
Power Consultants, Incorporated	Eric Uttenreither
	Peter Chaney, MS, CSP
	Dennis Langley
	Robert Matuga
	Dylan Hardison
	Lewis Barbe, P.E., CSP, CRSP
	Michael J. Johnston
	Jerry Rivera
	Thomas G. Bobick, Ph.D., P.E., CSP, CPE
	Matt Gillen, CIH
	Jeffrey D. Meddin, CSP, CHEP, CHCM
	Harry Dietz
	Tom Shanahan
	E. Ross Curtis, P.E., DFE
	Paul Swanson, P.E.
	Deven Johnson
	Rob Mason
	Daniel M. Paine
	Barbara Paine
	Robert E. Clouse, CSP, CHST
	Frank Massey
	James A. Borchers
	David Jablonski
	David Goldsmith



Professional Safety Consultants, Inc.

Property Casualty Insurers Association of America

Ryland Group, Inc., The  
Scaffolding, Shoring & Forming Institute  
Shafer Safety Solutions, LLC  
Sheet Metal & Air Conditioning Contractors'  
National Association

Sheet Metal Workers International Association  
SPA, Incorporated

Turner Construction Company

United Association of Plumbers and Pipefitters

United Brotherhood of Carpenters and  
Joiners of America

United Union of Roofers, Waterproofers and  
Allied Workers  
U.S. Department of the Army – Corps of Engineers

U.S. Department of Energy

West Virginia University Extension Service

Winchester Homes Inc.

ZBD Constructors (Zurn Industries)

Camille Villanova

Jim E. Lapping, MS, P.E., CSP

Anthony Brown

John Rabovsky, MS, CSP, ARM

Daniel Lavoie, CSP, ARM

Bob Masterson, CSP

Chris Johnson

Carmen Shafer, CSP, CHST, CRIS

Mike McCullion, CSP, ARM

Joe Visgaitis

Charles Austin, MS

Stanley Pulz, CSP, P.E.

Richard B. Loucks, Ph.D., P.E.

Cindy L. DePrater, ALCM

Paul Huntley

Laurie Shadrick

Bruce Dantley

William Irwin

Thomas L. Kavicky

John Barnhard

Brian Becker, MS

Ellen B. Stewart, CSP

Leslie Bermudez

Joseph Hopkins

Brandon Takacs, CSHM

Mark Fullen, Ed.D., CSP

Thomas Trauger

Larry Freiert

Greg Thompson, CSP

Jeffrey D. Meddin, CSP, CHEP, CHCM

**Subgroup A10.38 had the following members:**

Carmen Shafer, CSP, CHST, CRIS (Chair)

Jim E. Lapping, MS, P.E., CSP (Liaison)

Frank Burg, CSP, P.E.

Carl Heinlein, CSP, ARM, CPEA

Richard Hislop

Anthony O'Dea, CSP, CHST

Travis Parsons

Ron G. Prichard, Ph.D., P.E.

Richard P. Sanner

Scott Schneider

Tom Shanahan

Christine Trahan

Mischelle Vanreusel

James Brown – Former Chair (Retired)

<b>Contents</b>	<b>SECTION.....</b>	<b>PAGE</b>
	1. General.....	10
	1.1 Scope.....	10
	1.2 Purpose .....	10
	1.3 Exceptions .....	10
	2. Definitions .....	10
	3. Employer's Safety and Health Program .....	11
	3.1 Identification and Evaluation of Hazards and Risk .....	11
	3.2 Establishing Program Elements.....	11
	3.3 Implementation of Program Elements .....	14
	3.4 Responsibility and Authority .....	14
	3.5 Program Evaluation .....	14
	4. Accountability .....	14
	4.1 Responsibility.....	14
	4.2 Exposure to Unsafe Conditions .....	14
	4.3 Disciplinary Action .....	14
	5. Training.....	15
	5.1 Responsibility.....	15
	5.2 Types of Training .....	15
	5.3 Verification of Comprehension.....	16
	5.4 Retraining .....	16
	5.5 Documentation.....	16
	6. Employee Participation .....	16
	6.1 Employee Input.....	16
	6.2 Safety Committee .....	16
	Appendix A – Recommended Safety and Health Program Components ...	17

## AMERICAN NATIONAL STANDARD A10.38

### BASIC ELEMENTS OF AN EMPLOYER'S PROGRAM TO PROVIDE A SAFE AND HEALTHFUL WORK ENVIRONMENT

#### 1. GENERAL

**1.1 Scope.** This standard establishes the minimum elements of a program for protecting the safety and health of employees involved in construction activities.

**1.2 Purpose.** The purpose of this standard is to assist employers in their efforts to provide a safe and healthful work environment.

**1.3 Exceptions.** In cases of practical difficulties, unnecessary hardships or new developments, the authority having jurisdiction may grant exceptions to the literal requirements of this standard or permit the use of other devices or methods, but only when it is clearly evident that an equivalent degree of protection is thereby secured.

#### 2. DEFINITIONS

**2.1 Administrative Controls.** Methods of reducing hazard exposure or level of risk by use of policies or practices such as rotating workers or isolating the area where exposures are occurring (e.g. restricted areas, job rotation, exposure duration limitations, planning and scheduling tasks and activities) to minimize or eliminate exposures to affected workers.

**2.2 Authority Having Jurisdiction.** Any administrative body or governmental division or agency that establishes or is authorized to establish regulations, procedures, laws or other controls applicable to the jobsite or public.

**2.3 Competent Person.** One who, as a result of specific education, training and/or experience, is capable of identifying existing

and predictable hazards in the surroundings or working conditions that are unsanitary, hazardous or dangerous to employees, and who has the authorization and responsibility to take prompt corrective measures to eliminate them.

**2.4 Employer.** Any firm, corporation or other entity whose employees perform all or part of the construction work.

**2.5 Employer's Safety and Health Program.** The written program developed by the employer to satisfy the requirements of this standard.

**2.6 Engineering Controls.** Methods of eliminating or reducing hazard exposure by changing the system or environment to increase safe and healthful working conditions. Elimination of the hazard is considered the most desirable method of control, followed by substitution, separation and other engineering controls designed to reduce risk and exposure to the hazard.

**2.7 Hierarchy of Controls.** A systematic approach to eliminate, reduce or control risks. Each step is considered less effective than the one before it. It is not unusual to combine several steps to achieve an acceptable level of risk.

**2.8 Job Hazard Analysis (JHA).** An analysis of an activity, phase or task for a project that identifies the hazards, hazard controls and steps to eliminate or reduce these hazards. Also known as a Job Safety Analysis (JSA), Activity Hazard Analysis (AHA) or Pre-task Hazard Analysis.

**2.9 Qualified Person.** One who, by possession of a recognized degree, certificate or professional standing or who by extensive knowledge, training and