

WAC 296-155-249 Voluntary use of personal protective equipment (PPE). (1) Every employer that does not require employees or contractors to wear a specific type of personal protective equipment as determined under the PPE hazard assessment, employer policy, or where otherwise required to comply with safety and health standard rules, must allow its employee's or contractor's voluntary use of PPE (PPE is an item or items used to protect the eyes, face, head, body, arms, hands, legs, and feet such as face masks, filtering-facepiece respirators, goggles, helmets, head covers, gloves, rubber slickers, disposable coveralls, and safety shoes). This only applies when:

(a) The voluntary use of personal protective devices and equipment does not introduce hazards to the work environment and is consistent with applicable rules established by the department;

(b) The voluntary use of personal protective devices and equipment does not interfere with an employer's security requirements; and

(c) The voluntary use of these personal protective devices and equipment does not conflict with standards for that specific type of equipment established by the department of health or DOSH. WAC 296-842-11005 does not apply to the voluntary use of filtering-facepiece respirators, as defined under WAC 296-842-10200, under this section.

(2) Employers are not required to allow the voluntary use of respirators other than filtering-facepiece respirators under this section. All voluntary use of respirators other than filtering-facepiece respirators, such as elastomeric respirators, must comply with WAC 296-842-11005 and 296-842-11010.

(3) An employer may verify that voluntary use of personal protective equipment meets all regulatory requirements for workplace health and safety.

(4) Employers do not have to purchase, store, maintain, or otherwise provide protective devices or equipment for voluntary use by employees under this section.

(5) RCW 49.17.485 precludes DOSH from issuing variances under RCW 49.17.080 related to voluntary personal protective devices and equipment during a public health emergency as defined in RCW 49.17.485.

(6) This section does not apply to situations under WAC 296-155-200 where an employer allows employee provided personal protective equipment to be used rather than the personal protective equipment the employer provides.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, and chapter 49.17 RCW. WSR 24-17-125, § 296-155-249, filed 8/20/24, effective 10/1/24.]