



# West Virginia Division of Highways Policy: **Safety Helmets (Hardhats) Use** *Issued by the Commissioner of Highways*

Policy No: DOH 1.6

Issue Date: 06/11/2020

Revised: 09/23/2022

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## 1.0 PURPOSE

This intent of this policy is to establish the standard for hardhat usage during West Virginia Division of Highways (WVDOH) operations. The standard shall be that hardhats are always to be worn during field operations.

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## 2.0 SCOPE

This policy is to be construed in favor of the use of hardhats and employee safety. This policy supersedes and replaces all previous policies and memoranda related to hardhat usage within the agency. Interpretations which tend to liberalize policy intent are not valid.

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## 3.0 OSHA REGULATIONS

All field personnel are required to wear their approved hardhats while working. WVDOH employees in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns are to wear a hardhat in conformity to OSHA regulations. This is of vital importance to ensure the safety of all WVDOH workers when in potentially dangerous environments. Any and all activities on sites must comply with OSHA regulations.

To be in compliance with OSHA, the regulation states:

### 3.1 **29 CFR 1910.135(a)(1)**

The employer shall ensure that each affected employee wears a protective helmet when working in areas where there is a potential for injury to the head from falling objects.

<https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.135>

### 3.2 **29 CFR 1910.135(a)(2)**

The employer shall ensure that a protective helmet designed to reduce electrical shock hazard is worn by each such affected employee when near exposed electrical conductors which could contact the head.

<https://www.osha.gov/laws-regs/regulations/standardnumber/1910/1910.135>

### 3.3 **29 CFR 1926.100**

Employees working in areas where there is a possible danger of head injury from impact, or from falling or flying objects, or from electrical shock and burns, shall be protected by protective helmets.

<https://www.osha.gov/laws-regs/regulations/standardnumber/1926/1926.100>

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## 4.0 GENERAL CRITERIA

4.1 Hardhats are to be worn during field operations.

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- 4.2 Hardhats are required when any field work is occurring inside a site that requires Traffic Control. Field work includes, but is not limited to the operations being performed, setting of Traffic Control, performing Traffic Control, and removal of Traffic Control.
- 4.3 Maintenance work activities performed on a WVDOH facility requires the use of hardhats as if the work is inside Traffic Control.
- 4.4 When there are no engineering or administrative controls available to eliminate the hazard of falling or flying debris/objects, or of electrical shock and burns, a hardhat is required.
- 4.5 Some examples of when hard hats shall be worn while working at DOH are listed below but are **NOT** limited to the following:
  - A. The use of a chainsaw, chipper, pole saw, or any other piece of equipment while performing brush work or felling a tree.
  - B. Work being performed around any drilling equipment. This would include inspectors and survey crews.
  - C. Any work being performed at heights where there is a possibility of falling objects. This includes work on, around, or underneath bridges.
  - D. Working on or around scaffolding.
  - E. Sandblasting, chipping, painting, where there is a potential of flying objects.
  - F. Any overhead work, drilling, or work within the swing radius of heavy equipment.
  - G. Trenching or excavations.
  - H. Anytime there is a suspected risk of electrical shock.
- 4.6 Standard hardhats utilized by DOH are a class G. Class G protects against impact, penetration and low-voltage electrical conductors, proof tested at 2,200 volts. Hardhats will be of the standard white color. The DOH will not be replacing hardhats that are not white. Any hardhats purchased in the future will be white.
  - A. Effective November 15, 2021, no writing, decals, emblems, or any other type of marking, pictures, or signage may be placed or affixed on a hardhat unless issued or provided by the DOH.
  - B. All existing hardhat that contains any of the above items after November 15, 2021 shall be subject to the review and approval of the District Manager or Division Director. If the item is removed satisfactorily the hardhat can continue to be used. If the item cannot be removed to the satisfaction of the District Manager or Division Director, the DOH shall provide a replacement hardhat.

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- C. Upon approval of the District Occupational Safety Specialist or the State Safety Officer, employees who are subject to a higher risk of electrical shock shall wear a Class E hardhat. Class E is equivalent to a Class G with the exception that it is proof tested at 20,000 volts.

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### 5.0 EXCEPTIONS TO GENERAL CRITERIA

- 5.1 Hardhats are not required by operators while seated and operating equipment that has an enclosed cab. This includes SRIC, mowing, etc. within Traffic Control on WVDOH facilities. The emphasis here is that the operator is protected by an enclosed cab.
- 5.2 Hardhats are not required within the Controlled Environment of WVDOH Equipment Shops or the Equipment Maintenance Areas of our facilities. If the supervisor determines that there is a danger from flying objects in these areas during specific repairs, they may require hardhats to be used while these specific activities are performed.
- 5.3 Hardhats are not required on WVDOH facilities while walking to and from vehicles or buildings, fueling vehicles, performing daily vehicle checks, or any normal routine activity associated with the use of the facility.

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### 6.0 ENFORCEMENT & AUTHORITY

It is emphasized that the supervisor of the operation or facility is responsible for the implementation of this policy. Violations of this policy will be subject to progressive discipline.

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### 7.0 RELEVANT MATERIALS/DOCUMENTS

- 7.1 Policy Acknowledgement Form

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### 8.0 CHANGE LOG

September 23, 2022 –

- Added 8.0 Change Log.
- Corrected typo in section 4.6.B
- Added signature page.
- Policy substance did not change.

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**POLICY ACKNOWLEDGEMENT  
FORM**

Agency: \_\_\_\_\_

Site and/or organization: \_\_\_\_\_

I have read, understand, and agree to abide by the West Virginia Division of Highways Policy DOH 1.6, Safety Helmets (Hardhats) Use.

I understand and agree that if I violate any of the provisions of this policy, I maybe subject to disciplinary action up to and including termination.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

**TO BE COMPLETED BY SUPERVISOR**

I, \_\_\_\_\_, certify that I have discussed with and provided the above listed employee a copy of the West Virginia Division of Highways, Safety Helmets(Hardhats) Use policy.

\_\_\_\_\_  
Supervisor's Name (Print)

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

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Effective Date of Policy: 09/23/2022

Approved by:



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Jimmy D. Wriston, P.E.  
Secretary of  
Transportation  
Commissioner of  
Highways



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Date

\*The Secretary of the West Virginia Department of Transportation or the Commissioner of Highways may, pursuant to the authority vested with the Secretary and Commissioner in W. Va. Code §5F-2-2, §17-2A-1 *et seq.*, and §17-2-1 *et seq.*, waive the requirements of this policy if the circumstances, in the Secretary or Commissioner's sole discretion, warrant such action.